

# **FY 2020 GSA Federal Agency EEO Program Status Report Supplemental Documents**

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GENERAL SERVICES ADMINISTRATION  
Washington, DC 20405

HRM 2300.1 CHGE 1  
January 14, 2021

GSA ORDER

SUBJECT: Policy and Procedures for Providing Reasonable Accommodation for  
Individuals with Disabilities

1. Purpose. This policy updates the General Services Administration's (GSA) procedures on providing reasonable accommodations to employees or job applicants with disabilities, in compliance with all applicable laws and regulations.

2. Background. Executive Order 13164 (July 26, 2000) requires Federal agencies to establish effective written procedures for processing requests for reasonable accommodation by employees and applicants with disabilities. Section 501 of the Rehabilitation Act of 1973, as amended, requires each Federal agency to reasonably accommodate the known disabilities of qualified individuals with disabilities, unless doing so would cause undue hardship on the agency. On September 25, 2008, the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) amended the Americans with Disabilities Act (ADA) of 1990. These amendments became effective on January 1, 2009. The Equal Employment Opportunity Commission (EEOC) final regulations to implement the ADAAA were published in the Federal Register, 76 Fed. Reg. 16977, on March 25, 2011, and are codified at 29 C.F.R. Part 1630. Changes reflected in this policy will implement the provisions of the ADAAA and the EEOC's implementing regulations.

3. Cancellation. This Order cancels and supersedes GSA Order HRM 2300.1, Policy and Procedures for Providing Reasonable Accommodation for Individuals with Disabilities, dated June 6, 2018.

4. Scope and Applicability.

a. This policy applies to all GSA employees and applicants for employment with disabilities requiring reasonable accommodation.

b. This policy does not apply to employees of the Office of Inspector General (OIG) which has independent personnel authority. See Section 6 of the Inspector General Act of 1978, (5 U.S.C. App.3), as amended, and GSA Order ADM 5450.39D CHGE 1 GSA Delegations of Authority Manual (Delegations Manual), Chapter 2, Part 1. Similarly, GSA specifically recognizes that the Inspector General (IG) has

independent authority to formulate policies on providing reasonable accommodation for its employees. The OIG in establishing its reasonable accommodation program will consider this Order, to the extent that it does not infringe on the IG's independent personnel authority and does not conflict with other OIG policies.

c. Implementation Action. Implementation under this policy must be carried out in accordance with applicable laws, regulations, and collective bargaining agreements.

## 5. Policy.

a. It is GSA's policy to fully comply with the reasonable accommodation requirements of the Rehabilitation Act of 1973, as amended, and the ADAAA of 2008. GSA is committed to providing reasonable accommodation in order to ensure that qualified individuals with disabilities enjoy full access to equal employment opportunities at GSA, unless doing so would cause undue hardship on the agency.

b. GSA will provide a reasonable accommodation:

(1) When an applicant with a disability needs an accommodation to be considered for a job;

(2) When an employee with a disability needs an accommodation to enable him/her to perform the essential functions of his/her job or to gain access to the workplace; and,

(3) When an employee with a disability needs an accommodation to enjoy equal benefits and privileges of employment (examples include, but are not limited to, details, training, or telework).

c. GSA will process a reasonable accommodation request and, where appropriate, provide reasonable accommodation in a prompt, fair, and efficient manner. GSA is also dedicated to improving the recruitment, promotion, and retention of qualified persons with disabilities by providing information and resources necessary to support the applicant/employee and to accomplish the agency's mission.

6. Responsible Office. The Office of Human Resources Management (OHRM) manages GSA's Reasonable Accommodation program.

7. Explanation of Changes. Minor changes in this version stem from feedback received from the EEOC and the Department of Defense's Computer Accommodation Program change in scope for FY 2021 and beyond. The changes based on the EEOC feedback are enhancements to improve communications with reasonable accommodation requesters.

a. Chapter 1, section 3.a.(1), inclusion of a permanent email address for requesters to use;

b. Chapter 1, section 3.a.(6) added as encouragement to use phone or email to check on the status of claims;

- c. Chapter 2, section 4.d., paragraph revised, subparagraphs (1) and (2) removed;
- d. Chapter 2, section 7.a.(2), revised to add additional information that should be provided when LRACs request medical information;
- e. Chapter 2, section 10, language added to clarify that “The agency will not be expected to adhere to its usual timelines if medical documentation is not provided in a timely manner;” and
- f. Chapter 2, section 11, subparagraph (c) added language to improve the speed with which reasonable accommodations are made.

8. Signature.

/S/ \_\_\_\_\_  
TRACI DIMARTINI  
Chief Human Capital Officer  
Office of Human Resources Management

# PROCEDURES FOR PROVIDING REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES

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## CHAPTER 1. GENERAL PROVISIONS

1. Introduction. This Order prescribes the responsibilities and procedures for submitting and responding to requests for reasonable accommodations to qualified employees or applicants with disabilities.

2. References.

- a. [The Rehabilitation Act of 1973 \(29 U.S.C. Section 791\)](#), as amended to date.
- b. [Americans with Disabilities Act Amendments Act of 2008](#).
- c. [Equal Employment Opportunity Commission \(EEOC\) Final Rule Implementing the Americans with Disability Act Amendments Act of 2008 \(March 25, 2011\)](#).
- d. [Titles I and V of the Americans with Disabilities Act of 1990](#).
- e. [Executive Order 13548 of July 26, 2010](#): Increasing Federal Employment of Individuals with Disabilities.
- f. [Executive Order 13163 of July 28, 2000](#): Increasing Federal Employment of Individuals with Disabilities.
- g. [Executive Order 13164](#): Establishing Procedures to Facilitate the Provision of Reasonable Accommodation.
- h. [29 C.F.R. Part 1614](#): Federal Sector Equal Employment Opportunity.
- i. [29 C.F.R. Part 1630](#): Regulations to Implement the Equal Employment Provisions of the ADA.
- j. [Privacy Act of 1974](#), as amended.

3. Roles & Responsibilities.

a. Requester. A qualified employee or applicant including a representative acting on the employee's or applicant's behalf, who requests reasonable accommodation.

The requester will:

(1) In the case of an employee, inform his/her supervisor, the next level supervisor in his/her immediate supervisory chain, or the Local Reasonable Accommodation Coordinator (LRAC) of the need for an accommodation. In the case of an applicant, inform the servicing HR staffing specialist or the Human Resources Services Center (HRSC) Director for the vacancy. The requester can also submit their reasonable accommodation request to [reasonableaccommodation@gsa.gov](mailto:reasonableaccommodation@gsa.gov).

(2) Confirm his/her oral request for reasonable accommodation in writing, as soon as possible, if making an oral request. It is strongly encouraged that the requester complete the GSA Form 3676, Confirmation of Reasonable Accommodation Request (Appendix A).

(3) Cooperate fully and in good faith engage in the interactive process;

(4) Respond to the DM's request for relevant information, including medical information requested by the LRAC, in a timely manner; and

(5) Notify the designated DM and LRAC in writing if representation is obtained and provide representative's contact information.

(6) May periodically check with the LRAC, by phone or email for information on the status of their reasonable accommodation request.

b. Decision Maker (DM). The GSA official who grants or denies the request for reasonable accommodation. In GSA, there are two DMs who can process a request from an employee. The first level supervisor in the employee's immediate supervisory chain will render a decision on a reasonable accommodation request, except in the event of an extended absence of the first level supervisor; in that event, the second level supervisor shall be the DM. For applicants, the DM is the Director of the servicing Human Resources Services Center (HRSC). The DM will:

(1) Be knowledgeable about the procedures for processing requests for reasonable accommodation and contact the LRAC for guidance;

(2) Contact the LRAC for assistance with explaining GSA's process for requesting accommodation and who will issue the decision to the requester;

(3) Advise the requester to submit a written confirmation of any oral accommodation request received;

(4) Provide the LRAC any relevant information to determine the essential duties of the position to assist in determining whether the employee or applicant is an "individual with a disability" and if the requested accommodation would be effective;

(5) Engage in the interactive process in good faith. Communicate throughout the process with the requester to determine what, if any, accommodations are available. Effective communication is particularly important in cases where the specific limitation or barrier is unclear, where an effective accommodation is not obvious, or where the parties involved are considering different possible reasonable accommodations;

(6) Consult with the LRAC to determine if medical documentation is needed;

(7) Make the decision regarding a request for reasonable accommodation in consultation with the LRAC in accordance with the guidance outlined in this Order in



addition to all applicable laws and regulations. Consult with OGC before issuing a partial or complete denial of reasonable accommodation;

(8) Work with the LRAC to prepare and issue the final decision letter and the GSA Form 3677 to grant or deny the reasonable accommodation request;

(9) If any part of a request is denied, notify the requester of his/her right to seek informal resolution and reconsideration of that decision by the next higher level supervisor as appropriate;

(10) Ensure that the appropriate accommodations are provided in accordance with the timeframes outlined in Chapter 2, Section 8;

(11) Maintain confidentiality of information received during the reasonable accommodation process; and

(12) Comply with records management and reporting requirements.

c. OHRM will:

(1) Ensure compliance with governing laws and regulations, Executive Orders, and agency policies related to the provision of reasonable accommodation; and

(2) Designate a National Reasonable Accommodation Coordinator (NRAC) to advise the LRAC on the provisions of reasonable accommodation, and evaluate and monitor the overall effectiveness of program compliance.

d. National Reasonable Accommodation Coordinator (NRAC). A designated national level program manager and subject matter expert in OHRM with oversight and compliance responsibility for GSA's reasonable accommodation program.

The NRAC provides guidance and assistance to the LRACs, DMs, employees, and other agency officials, and will:

(1) Develop the agency's policies, and procedures on disability issues, as necessary;

(2) Ensure GSA's compliance with its obligations to provide reasonable accommodation;

(3) Maintain a roster of designated LRACs and keep GSA's information up to date;

(4) Oversee the centralized procedures for requesting medical reviews and examinations to ensure program efficiency and proper handling of medical information associated with the GSA's reasonable accommodation procedures;

(5) Review and provide advice to the LRAC on prospective partial or complete

denials of reasonable accommodation requests to determine alternate solutions, if any, and program consistency;

(6) Consult with DM, LRAC, and OGC on complex cases, to obtain advice on determinations regarding qualifying individuals and possible accommodations;

(7) Partner with other program offices such as the Office of Civil Rights (OCR), Office of Administrative Services (OAS), Office of GSA IT (GSAIT), and use other resources in an effort to promote adherence of GSA's obligation to provide reasonable accommodation involving informal resolution, assistive technology, IT solutions, and IT accessibility to its employees;

(8) Track and report summary data on all requests for reasonable accommodation and the disposition of those requests annually to the EEOC and other reporting requirements; and

(9) Provide training to the LRACs, employees and supervisors, as needed.

e. Human Resource Service Centers (HRSCs) will:

(1) Designate properly trained Human Resources Specialists to serve as the primary and alternate LRAC. Keep the LRAC informed of the designated LRAC;

(2) Assist the LRAC in identifying positions available as potential reassignments in cases where reassignment is evaluated as a possible accommodation for an employee, and in reviewing the essential functions of those positions; and

(3) The HRSC Director will serve as the DM, and will work with the LRAC on requests from applicants for employment for accommodation during the application process.

f. Local Reasonable Accommodation Coordinator (LRAC). A designated local primary/alternate Human Resources (HR) specialist in the servicing HRSC, either on a full-time or collateral-duty basis, with the appropriate knowledge, skills and abilities responsible for providing advice, and assistance to employees, DMs, and other agency officials on processing reasonable accommodation requests.

The LRAC provides advice and assistance to employees and supervisors on reasonable accommodation requests, and will:

(1) Work with the DM to gather sufficient information to make an informed

decision on the request, including determining whether the employee or applicant is a “qualified individual with a disability,” whether the requested accommodation would be effective, and/or whether alternative accommodations would be effective;

(2) Assist the requester and DM with processing requests for accommodation by engaging in the interactive process, including completing the appropriate forms (See Appendix);

(3) Ensure that all requests for accommodation outside the control of the DM, such as requests for assistive technology, facility renovations, and parking, are routed to the appropriate individual, coordinated with appropriate organizations, and are processed in accordance with the timeframes outlined in section 2-8;

(4) Work with the DM and/or others, such as the NRAC and OGC, to determine if medical documentation is needed. For obvious disabilities, typically no medical documentation is required beyond understanding specific limitations and barriers;

(a) For requests from applicants, the LRAC in consultation with the HRSC Director will issue the request for medical documentation and/or exams related to appropriate accommodations.

(b) For requests from employees, the LRAC, in consultation with the DM, will issue the request for medical documentation and/or exams. The LRAC will advise the DM on restrictions and limitations, recommend appropriate accommodations, and consult with the agency’s Medical Review Officer (MRO), if needed.

(5) Coordinate prospective denials of requests for accommodation with the NRAC prior to a proposed final decision including partial denials to determine alternate solutions, and program consistency;

(6) For employees: work with DM, HRSC, and requester to identify positions for potential reassignment;

(7) Work with the DM and OGC to obtain legal review for legal sufficiency of a proposed final decision which results in a partial or complete denial of the requested accommodation(s);

(8) Maintain confidentiality of medical information received during the reasonable accommodation processing procedure;

(9) Track and report all requests for reasonable accommodation and the disposition of those requests. Report relevant data to the NRAC as required;

(10) Maintain a reasonable accommodation case file separate from the employee’s official personnel folder;

(11) Assist with completing the “Agency Certification of Reassignment and Accommodation Efforts,” SF-3112D, when required for employees applying for disability retirement to certify efforts made by the agency to provide reasonable accommodation including job searches, if any, for reassignments;

(12) Work with, or provide supporting information to, the NRAC, OCR, and OGC in addressing responses to litigation, informal and formal complaints, grievances, and other inquiries involving reasonable accommodation requests; and

(13) Provide training on reasonable accommodation to employees and supervisors, as needed; and

(14) The LRACs will meet with the NRAC on a regular basis to ensure consistency throughout GSA in its processing of requests for reasonable accommodation.

4. Training. GSA will train all of its employees about its reasonable accommodation procedures to ensure that they have sufficient information to understand their roles and obligations in the reasonable accommodation process.

a. OHRM will ensure that training requirements are met and implemented throughout GSA.

b. Managers and Supervisors are expected to adhere to the requirements to participate in the GSA’s EEO training which will provide a basic understanding of legal requirements for providing reasonable accommodation under the ADA and The Rehabilitation Act of 1973 for individuals with disabilities.

## Chapter 2. Reasonable Accommodation Procedures

1. Requests for Reasonable Accommodation. A request for reasonable accommodation is an oral or written statement that an individual is in need of a modification or adjustment to the work environment, to the application process, or to access to a benefit or privilege of employment because of limitations imposed on the individual by a medical condition. A request does not have to use any special words, such as "reasonable accommodation," "disability," or "Rehabilitation Act." The reasonable accommodation process begins as soon as the oral or written request is made as defined below. A requester may seek a reasonable accommodation whenever he/she chooses, even if he/she has not previously disclosed the existence of a disability.

a. An individual's request must be considered if it is made either orally or in writing to his/her immediate supervisor, or the next level supervisor in his/her immediate supervisory chain, or the LRAC.

b. An applicant for employment at GSA may request a reasonable accommodation orally or in writing from the staffing specialist of the servicing HRSC, or any agency employee with whom the applicant has contact in connection with the application process.

c. A family member, friend, health care professional or other representative may request a reasonable accommodation on behalf of a GSA employee or applicant either orally or in writing. The request should be forwarded to the same GSA official to whom the employee or applicant would make the request. To the extent possible, an individual with a disability should be contacted to confirm that he/she in fact wants a reasonable accommodation.

2. Written Confirmation of Oral Requests. To enable GSA to keep accurate records regarding requests for accommodation, applicants and employees seeking a reasonable accommodation should follow up an oral request by completing the GSA Form 3676, *Confirmation of Reasonable Accommodation Request*, located at Appendix A. The form should be submitted to the DM or LRAC in accordance with this Order.

a. If the requester requires assistance to obtain or complete the form, the DM or LRAC will assist the requester.

b. While the written confirmation should be made as soon as possible following an oral request, it is not a requirement for the request itself. GSA will begin processing the request as soon as it is made, whether or not the written confirmation has been provided.

c. When an employee has need of a reasonable accommodation on a repeated basis such as the assistance of a sign language interpreter or reader, the confirmation form is required only for the first request. However, the requester must give appropriate

advance notice to his/her immediate supervisor in writing (e.g., email or memo) of the pertinent details of the request for each subsequent time the accommodation is needed. If an accommodation is needed on a regular basis (e.g., for a weekly staff meeting), the supervisor should make the appropriate arrangements without requiring a repeated request in advance of the occasion. See Appendix D - Reasonable Accommodation Resources - regarding services and equipment available for reasonable accommodation requests.

### 3. The Interactive Process.

a. When an individual makes an oral or written request for reasonable accommodation, the manager should ordinarily begin to engage in the interactive process with the individual after receiving notice of the request. The interactive process is the communication between the DM and the requester, in consultation with the LRAC, to determine how best to respond to the employee's request. During this process, an individualized assessment will be conducted to review essential and collateral job functions, the employee's limitations, and possible accommodations. The interactive process may require more than one discussion, and may involve trying and evaluating the effectiveness of more than one accommodation. The LRAC will also explain the reasonable accommodation process to the employee at this time.

b. Ongoing communication and cooperation are important, especially when a specific limitation, problem, or barrier is unclear or when the disability or an effective accommodation is not fully understood. Thus, it is recommended that substantive interactive discussions be documented, with at least the date, time, participants, and key points noted by the DM and/or LRAC.

c. In the case of an applicant for employment, the servicing HR staffing specialist and/or LRAC will engage in the interactive process with the applicant.

d. Once a job offer has been made, if an accommodation is requested, the interactive process with the new employee with a known disability (post-offer but pre-onboarding) should be conducted by the new supervisor, in consultation with the LRAC to discuss and identify possible accommodations, and ensure that the agreed to accommodation is in place when the new employee starts.

e. In some instances, the requester will suggest a specific type of reasonable accommodation that he/she thinks will be effective. However, both the DM and the requester should work together in good faith to explore available and effective reasonable accommodation options throughout this process.

### 4. Types of Accommodations.

a. Overview. The possible types of reasonable accommodations are vast and an exhaustive list cannot be provided in this document. Refer to Appendix D for a list of resources to aid in this process. DMs and LRACs are encouraged to think creatively

when considering possible accommodations, because there are often several types of effective reasonable accommodations available for most requests. The DM should grant an effective accommodation, which may not necessarily be the specific accommodation the requester has proposed. These are some of the common types of accommodations:

- o Modification of work schedules;
- o Allowance of breaks or approval of leave;
- o Allowance of telework beyond that normally provided by the agency policy or collective bargaining agreement;<sup>1</sup>
- o Change how or when “non-essential” job duties are performed; and
- o Adjustments to office space.

b. Who Arranges Accommodations. The DM in coordination with the LRAC should arrange accommodations. Some accommodations require additional coordination with other GSA offices and external resources.

c. Who Pays for Accommodations. The employee’s office bears primary responsibility for the funding of reasonable accommodations. While some alternate funding resources exist, in the event that there is not sufficient funding, or if the time to deliver is anticipated to be too long, the office should fund the purchase.

d. Requests Involving Assistive Technology. The LRAC, in consultation with the DM, may need to coordinate with the appropriate GSA offices to ensure proper procurement, inventory, and implementation of assistive technologies and/or information technology and/or communication equipment for use by employees as accommodations.

e. Requests for Reader or Sign Language Interpreters, or Other Assistive Staff. If current staff can provide an effective accommodation, the DM will consider that option. If not, the DM will request the assistance of the individuals or offices responsible for procuring these types of services in processing the request such as through normal procurement procedures. Each individual office is responsible for funding such services and should consider using the GSA Schedule as a vehicle to locate available vendors where appropriate. Consult the LRAC for more information.

f. Requests for the Removal of an Architectural Barrier(s), and Reconfigured Workspaces. The DM and the LRAC will coordinate with the individual or office responsible for the function.

g. Requests for Special Furniture. The DM and the LRAC will coordinate with the individual or office responsible for procuring special furniture. This includes chairs, height adjustable workstations, and height adjustable desktop devices that sit on top of regular desks.

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<sup>1</sup> If an employee is approved for a full-time telework arrangement, the employee needs to be coded as a Full-Time Teleworker in the appropriate GSA tracking systems.



h. Requests for Accessible Parking. If parking is being requested as a reasonable accommodation, it is important to review the applicable GSA policies and requirements for providing parking at GSA owned facilities. The DM will coordinate the request for accessible parking with either (1) the appropriate property manager responsible for the building where the accommodation is being requested, or (2) with the appropriate individual who issues the parking permits as defined in the applicable parking policy.

i. Requests for Accessible Travel and Transportation. If premium transportation is being requested as a reasonable accommodation in accordance with 41 CFR 301-10.123 and the Federal Travel Regulation which states in summary an agency may authorize certain accommodations due to a medical disability if certified by a competent medical authority. Such certification may be subject to recertification annually. Follow the procedures of this policy when assessing such requests for accommodation.

j. Requests for Reassignment. Reassignment will be considered as an accommodation as a last resort, and only if no accommodations are available to enable the requester to perform the essential functions of his/her current job, or if the only effective accommodation would cause undue hardship. The interactive process is especially critical when reassignment is being considered.

(1) To determine whether there is a position available for reassignment, the DM in consultation with the servicing staffing specialist, the LRAC, and the requester will work to identify:

(a) A funded vacant position within GSA for which the requester may be qualified with or without reasonable accommodation, as determined by a human resources official; and

(b) Any funded position which the servicing HRSC has reason to believe will become vacant over the next thirty (30) calendar days from the date the organization commences the search for an appropriate position, and for which the requester is determined to be qualified by a human resources official. An example: If a search begins on September 1, then the positions being considered are those currently vacant, or expected to be vacant between September 1 and October 1; or if it is determined on September 15, that no vacancies currently exist or are anticipated by October 1, then the search is over and the results should be communicated to the employee.

(2) Before the organization commences the search for an appropriate position, the LRAC will ask the requester to indicate in writing whether he/she is willing to accept a reassignment to:

(a) A job series that is different from the series of his/her current position and if so, which job series; or

(b) Locations outside the commuting area, and if so, which locations are preferred; or

(c) A part-time position; or



(d) A lower grade position as a last resort.

(3) GSA will first focus on positions that are equivalent to the requester's current job in terms of pay status, and other relevant factors. Reassignment may be made to a vacant position outside of the employee's commuting area if the requester is willing to relocate. Determination on the appropriateness of paying relocation costs will be made in accordance with GSA policy.

(a) The HRSC will document efforts taken to locate another position(s) for the record and provide documentation to the LRAC. Retention of such documentation should be maintained in the official reasonable accommodation case file.

(b) The LRAC will provide the DM with information about any identified position(s) in writing, and assist the DM in notifying the requester of the appropriate information, if any.

(4) The DM must make every effort to notify the requester in writing of the appropriate position(s) identified within thirty (30) calendar days of receiving the request for reasonable accommodation, absent extenuating circumstances. If the request will be delayed beyond thirty (30) calendar days, the DM or LRAC should keep the requester advised about the status of the request throughout the process.

(5) If a position is found, the employee will receive a written offer, and will have seven (7) calendar days to consider whether to accept the offered reassignment. If an offer of reassignment is made and considered to be an effective accommodation, refusal could be a basis for denial of accommodation. The time for processing the request will freeze for the period of time during which the offer is being considered by the requester.

(6) If the servicing HRSC is unable to identify a suitable position to which the employee can be reassigned, the employee will be advised as to other options such as disability retirement.

## 5. Personal Assistance Services (PAS).

a. Overview. PAS will be provided to employees or applicants who request and need these services due to a targeted disability, unless doing so would impose an undue hardship on the agency.

b. Who Can Perform Personal Assistance Services. PAS must be performed by a Personal Assistance Services Provider (PASP), and that PASP may provide PAS to more than one individual. However, when selecting a PASP, primary consideration must be given to the requester's preferences to the extent permitted by law. The PASP may be asked to perform tasks unrelated to PAS, but only if doing so does not result in the failure to provide the PAS required.

c. The Process for Requesting PAS. The same procedures as listed above for requesting reasonable accommodation and determining whether such

accommodations are required or would pose an undue hardship, will be followed for requesting PAS. No adverse action will be taken against requesters based on their need for, or perceived need, for these services.

6. Requests in Response to a Performance or Conduct Based Personnel Action. In the event a request for reasonable accommodation is first presented in response to a performance or conduct-based personnel action, the decision-making process associated with the performance or conduct-based personnel action will be followed in accordance with Title 5 of the Code of Federal Regulations, Part 432 or Part 752, whichever is applicable. The agency is not required to rescind or withhold disciplinary or performance action. The reasonable accommodation request would be handled in accordance with this policy.

7. Medical Information. When an employee or applicant requests a reasonable accommodation, GSA is entitled to know that the employee or applicant has a covered disability for which he/she is requesting a reasonable accommodation. In some cases, the disability and the need for accommodation will be obvious or otherwise already known to GSA. In these cases, GSA will seek only medical information relevant and necessary to determine the requester's limitations or barriers. However, when a disability and/or need for reasonable accommodation is not obvious or otherwise already known to GSA, the agency may require that the requester provide medical documentation about the disability and his/her functional limitations. The request for medical documentation shall come from the LRAC.

If the requester provides medical information directly to the DM, the DM will forward the medical information to the LRAC to evaluate and make a determination if it supports the reasonable accommodation request. If the LRAC determines no additional medical information is needed, the LRAC will advise the DM promptly to complete the processing of the request. If the LRAC determines additional medical information is needed, the LRAC will seek the additional medical information. The LRAC may consult the NRAC, and OGC in making these determinations, where appropriate. The LRAC may consult with a Medical Review Officer (MRO), such as a medical professional with Federal Occupational Health (FOH), if the requester has given express permission for such consultation.

a. Obtaining and Evaluating Medical Information.

(1) If a determination is made to seek medical information, GSA will request information sufficient to substantiate that the individual has a covered disability and needs the requested reasonable accommodation. GSA will request only the medical information relevant to the request being made. GSA will follow the requirements in the EEOC's "*Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act*," which is available on the internet at [www.eeoc.gov](http://www.eeoc.gov).

(2) The LRAC will seek information or documentation about the nature of the disability and/or functional limitations from the individual, and/or ask the individual to

obtain such information from an appropriate professional, such as a physician, social worker, or rehabilitation counselor. To obtain relevant information, all requests for information should describe the actual nature of the job and the essential functions the requester is expected to perform, and inquire about how the requested accommodation will assist the individual to apply for a job, perform the essential functions of a job, or enjoy the benefits and privileges of the workplace.

(a) Once the medical documentation is received, it will be evaluated by the LRAC.

(b) If the information provided by the requester or his/her health care professional (such as a physician, social worker, or rehabilitation counselor), is insufficient to enable GSA to determine whether an accommodation is necessary and would be effective, the LRAC may ask for further information. The LRAC should consult with OGC in connection with deciding if the medical information submitted by the requester is sufficient. If it is determined that additional information is required, the LRAC will explain to the requester specifically why the information which has been provided is insufficient, what additional information is needed, and why it is necessary for a decision on the reasonable accommodation request.

(c) If, after a reasonable period of time, there is still insufficient information to demonstrate that the requester has a covered disability and what, if any, accommodation is required, the LRAC may request that the requester give permission for a Medical Review Officer to review the medical documentation or offer the requester a medical examination, at GSA's expense.

b. Consultation Between the LRAC and the DM. The LRAC will determine if the medical documentation demonstrates that a reasonable accommodation would be appropriate and provide the DM with any relevant information about the requester's functional limitations.

c. Failure to Provide Requested Information. The requester's failure to provide appropriate documentation or to cooperate in GSA's efforts to obtain such documentation may result in a denial of reasonable accommodation.

d. Confidentiality Requirements. Under the Rehabilitation Act of 1973, and Executive Order 13164, medical information obtained in connection with the reasonable accommodation process is confidential. This means that all medical information, including information about functional limitations and reasonable accommodation needs, obtained in connection with a reasonable accommodation request will be kept in files, hard copy or electronic, separate from the employee's official personnel file. It also means that any GSA employee who obtains or receives such information is strictly bound by these confidentiality requirements.

e. Disclosure of Confidential Information. The LRAC or the Director of the servicing HRSC will respond to all requests for the disclosure of confidential records obtained in connection with the reasonable accommodation process. This information may be

disclosed only as follows to:

(1) Agency officials who have a need to know, including the DM who requested that the LRAC obtain medical information, may be told about the limitations which the requester's condition imposes, the resulting work restrictions, and the necessary accommodation(s), but medical information is only disclosed on a need-to-know basis.

(a) GSA personnel should raise any information security or privacy concerns, including lost, missing or stolen personally identifiable information, with the GSA Information Security Officer (ISO) or the Privacy Officer, and/or the Office of General Counsel.

(b) If an employee transfers to another position within GSA (for example, a reassignment, detail, or promotion), the employee should notify his/her new supervisor of any pending or approved accommodations if an accommodation is still needed in the new office and/or position. The new supervisor will confirm any pending or approved accommodations with the LRAC. The LRAC will coordinate the appropriate information to ensure accommodation is maintained, if appropriate. If the new position has different essential functions, the accommodation may need to be re-evaluated.

(2) First aid and safety personnel, when appropriate, if the disability might require emergency treatment;

(3) GSA and other Government officials as necessary who investigate and/or litigate the agency's compliance with the Rehabilitation Act;

(4) The Chief Human Capital Officer (CHCO) and his/her designee who are charged with evaluating and reporting on the agency's performance in processing reasonable accommodation requests; and

(5) Workers' compensation offices or insurance carriers in certain circumstances.

Whenever confidential information is disclosed, the individual disclosing the information must inform the recipient of the information about the confidentiality requirements that attach to it. A violation of the medical confidentiality requirements contained in the Rehabilitation Act exposes the agency to liability, even if no other action is taken against the individual whose medical information is disclosed.

#### 8. Timeframes for Processing Requests.

a. GSA will process requests for reasonable accommodation and provide accommodations, if granted, in as short a time frame as reasonably possible. GSA recognizes, however, that the time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information.

b. If an employee or applicant requests reasonable accommodation from a GSA official other than the appropriate DM, the official will:

- (1) Forward the request to the appropriate GSA official, if known, or the LRAC;
- (2) Notify the employee or applicant that the request was forwarded to the appropriate GSA official, or the LRAC for processing;
- (3) The DM or the LRAC will acknowledge the request within three (3) calendar days of receipt; and
- (4) The DM will begin the interactive process within five (5) calendar days of receipt of a request for reasonable accommodation from the requester or the LRAC.

9. Requests That Do Not Require Medical Documentation, or Involve Extenuating Circumstances. The DM will decide these requests, in consultation with the LRAC, as appropriate, and should provide the reasonable accommodation as soon as possible but not to exceed thirty (30) calendar days from receipt of the request, unless extenuating circumstances exist.

10. Decisions on Requests that Require Medical Information. The DM's 30 calendar day time limit begins the day following receipt of the reasonable accommodation request. The DM's 30 calendar day time limit is subject to extension. GSA recognizes that the need for documentation may not become apparent until after the interactive process has begun. The agency will not be expected to adhere to its usual timelines if sufficient medical documentation is not provided in a timely manner.

a. If the LRAC, in consultation with the DM, determines that medical documentation is needed, the 30 calendar day time limit will be held in abeyance.

b. If the LRAC determines that the medical information is not needed, the LRAC shall inform the DM of this as soon as possible but not to exceed three (3) calendar days after the DM notified the LRAC of the request for medical documentation. The DM's original 30 calendar day time limit resumes after the LRAC notifies the DM that he/she can continue processing the request.

c. If the LRAC determines that medical documentation is needed, then as soon as possible, but not to exceed five (5) calendar days from receipt of sufficient medical documentation, the LRAC will inform the DM of the requester's functional limitations, and the requested reasonable accommodation. The DM's original 30-calendar day time limit resumes the day after receiving notification from the LRAC that sufficient information has been received, and of the requester's functional limitations and requested accommodation.

11. Notification of Delays and Temporary Measures. It is GSA's policy that extensions based on extenuating circumstances should be limited to situations where they are strictly necessary. The DM, in consultation with the LRAC, must notify the requester, in writing, as soon as possible of the reason for the delay and the approximate date on



which a decision, or provision of the reasonable accommodation, is expected. Any further developments or changes should also be communicated promptly, in writing, to the requester.

a. If there is a delay in deciding whether to grant a reasonable accommodation or a delay in providing an accommodation which has been approved, the DM and LRAC must investigate whether temporary measures can be taken to assist the requester, if they do not interfere with the operations of GSA. Such measures could also include providing the requested accommodation on a temporary basis or providing an alternate accommodation.

b. Where a temporary measure is provided, the DM must inform the requester in writing that the measure or accommodation is being provided on a temporary, provisional basis, pending a decision on the accommodation request or, as applicable, approving an accommodation.

c. When a particular reasonable accommodation can be provided in less than the maximum amount of time, failure to provide the accommodation in a prompt manner may result in a violation of the Rehabilitation Act.

12. Expedited/Interim Workplace Adjustment Processing. In certain circumstances, a request for reasonable accommodation will require an expedited review and decision by the DM in a time frame that is shorter than the 30-calendar day time limit. The LRAC, in consultation with the DM, will determine if an expedited/interim adjustment would be appropriate based on the request for accommodation. Where possible, within fifteen (15) calendar days of the initial request, an expedited or interim workplace adjustment should enable the requester to perform the essential functions of the position or enjoy the benefits and privileges of employment without posing a direct threat to anyone's health or safety. If an interim workplace adjustment is not possible, a written explanation to the requester shall be provided. For example:

a. To Enable an Applicant to Apply for a Job. Depending on the timetable for receiving applications and taking tests, there may be a need to expedite a request for reasonable accommodation in order to ensure that an applicant with a disability has an equal opportunity to apply for a job. Therefore, the Director of the servicing HRSC, as applicable, should proceed as quickly as possible to make a decision and, if appropriate, provide the reasonable accommodation.

b. To Enable an Employee to Attend a Meeting Scheduled with Little or No Advance Notice. An employee may need a sign language interpreter for a meeting scheduled to take place in five (5) business days.

13. Final Decision Granting a Reasonable Accommodation Request. As soon as the DM determines that a reasonable accommodation will be provided, he/she will work with the LRAC to complete the GSA Form 3677, *Review of Reasonable Accommodation Request*, located at Appendix B, as well as, the Final Decision Letter, located at Appendix C, and immediately advise the requester. If the accommodation cannot be

provided immediately, the DM will inform the individual in writing of the reason(s) for the delay and the projected time frame for providing the accommodation.

14. Final Decision Denying a Reasonable Accommodation Request. As soon as the DM determines that a request for reasonable accommodation will be denied, including any partial denials, he/she must consult the LRAC and OGC before issuing the final decision. The LRAC will also consult with the NRAC on all reasonable accommodation denials. The LRAC, NRAC, and OGC will only serve as consultants and concurrence is not required. Once the final determination is made, the DM will work with the LRAC to complete the GSA Form 3677, *Review of Reasonable Accommodation Request*, located at Appendix B, as well as, The Final Decision Letter, located at Appendix C, and provide the documents to the requester. The final decision must explain in detail the reason for the denial, for example, why accommodation would be ineffective or why it would result in undue hardship to GSA. The final decision will also advise the requester that he/she may seek reconsideration as provided below. The written decision shall state in plain language the specific reason(s) for the denial, such as but not limited to:

a. Undue Hardship. A determination of undue hardship means that GSA finds that a specific accommodation would be significantly difficult or expensive to provide, or would fundamentally alter the nature of the operations of the affected GSA organization. Before reaching this determination, the DM must explore whether other effective accommodations are available and can be provided. GSA will, when evaluating undue hardship, follow the standards enunciated in the EEOC final regulations and in the EEOC “*Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act*,” both of which are available at: <http://www.eeoc.gov>.

b. Insufficient Medical Documentation. The employee or applicant, when requested, did not provide sufficient medical documentation to establish that he/she has a covered disability, that the disability imposes limitations that require accommodation, or that the requested accommodation addresses the limitations. It is the responsibility of the applicant/employee to provide appropriate medical information requested by GSA when the disability and/or the need for accommodation are not obvious or already known to GSA.

c. Removes Essential Function(s). The requested accommodation would require the removal of an essential function from the position occupied by the employee or from the position for which the applicant applied.

d. Lowers Standards. The requested accommodation would require lowering a performance or production standard.

e. Not Deemed a Qualified Individual with a Disability. GSA has determined the applicant or employee is unable to perform the essential functions of the position, even with an accommodation. In this case, the individual is not a qualified individual with a disability, as defined by the Rehabilitation Act.

f. Direct Threat. The individual poses a “direct threat” to the health and safety of

himself/herself or others. In those instances, the DM must consider the limitations of the individual, specifically, the risk posed by the medical condition, the duration of the risk, the nature and severity of the potential harm, the likelihood that the harm will actually occur, and imminence of the potential harm. Direct threat determinations are made on an individualized assessment of the requester's present ability to safely perform the essential functions of the job. This assessment shall be based on a reasonable medical judgment that relies on the most current medical knowledge and/or on the best available objective evidence.

15. Finality of Decision. The DM's determination to grant or deny a request is final subject to paragraph 21 below.

16. Reconsideration of the Final Decision.

a. If the employee disagrees with the final decision, he/she has seven (7) calendar days from receipt of the final decision to request in writing reconsideration from the appropriate next level supervisor in the immediate supervisory chain, or his/her designee. The designee must be superior in grade and/or position to the initial DM to reconsider the decision.

b. If an applicant requesting reasonable accommodation disagrees with the final decision, he/she has seven (7) calendar days from receipt of the final decision to request in writing that the Director of the Office of Human Resources Services, OHRM, or his/her designee, reconsider the final decision.

d. The requester seeking reconsideration should provide a copy of the final decision to the DM with his/her request for reconsideration.

e. The requester seeking reconsideration may submit additional information or documentation with the request to support his/her request.

f. The Reconsideration Official shall consult with the LRAC on the reconsideration decision. A reconsideration decision will be issued within fourteen (14) calendar days of receipt of the request, unless additional medical documentation is needed and/or extenuating circumstances exist. In those instances, the reconsideration decision will be issued as soon as possible, after all information is obtained.

17. Avenues for Redress of Reconsideration Decision. GSA's reasonable accommodation policy does not modify or replace statutory, regulatory or collective bargaining protections and procedures for individuals with disabilities who wish to challenge the denial of a request for reasonable accommodation. If the reconsideration official sustains the initial decision, the requester may seek redress as follows:

a. Equal Employment Opportunity (EEO) Complaint. To file an EEO complaint pursuant to 29 C.F.R. Part 1614, applicants for employment or employees must contact an EEO counselor within forty-five (45) calendar days of receiving the notice of denial of reasonable accommodation. Applicants for employment or employees should contact



GSA's EEO office for further information.

b. Union Grievance. Bargaining Unit employees may file a grievance in accordance with the grievance procedure negotiated in the applicable Collective Bargaining Agreement after receiving a notice of denial of reasonable accommodation. The employee should also inform the Director of servicing HRSC of the filing of a grievance.

c. Administrative Grievance. Non-Bargaining Unit employees may file an administrative grievance with a higher level management official in their supervisory chain within fifteen (15) calendar days of receiving the notice of denial of reasonable accommodation. The employee should also inform the Director of the servicing HRSC of the filing of a grievance.

#### 18. Custody of Records.

a. The servicing HRSC, as applicable, will be the official custodian of the GSA official reasonable accommodation file. As soon as the process is completed, e.g., after the DM's final decision if reconsideration is not sought or after the reconsideration decision is issued if reconsideration is requested, the GSA official in possession of the reasonable accommodation request file will submit the entire record, including copies of the request, the decision, and the supporting documentation to the LRAC. All records will be maintained in accordance with the Privacy Act, and [OAS P 1820.1 GSA Records Management Program](#).

b. If an employee goes to another office within GSA (e.g., as a result of a reassignment, detail, or promotion), a copy of the reasonable accommodation file is to be forwarded to the LRAC in the new servicing HRSC. See Chapter 2, Section 7(d) of these procedures for confidentiality and restricted disclosure requirements.

19. Forwarding Reporting Information. Within five (5) calendar days of the issuance of the initial or reconsideration final decision, the completed reasonable accommodation documentation should be forwarded to the LRAC to maintain a case file with the original documents to include the applicable forms for at least three years. Like the reasonable accommodation request file, these copies are subject to confidentiality and restricted disclosure requirements found in Chapter 2, Section 7(d) of this Order. No supporting medical documentation should be maintained by the DM.

#### 20. Annual Data.

a. An annual report will be prepared by OHRM, containing the following aggregate information:

(1) The number of reasonable accommodations requested by type in the application process, and whether those requests were granted or denied;

(2) The jobs (occupational series, grade level, and agency component) for

which reasonable accommodations have been requested;

(3) The types of reasonable accommodations that have been requested for each of those jobs;

(4) The number of reasonable accommodations, by type, for each job that have been approved, and the number of accommodations, by type, that have been denied;

(5) The number of requests for reasonable accommodations, by type, that relate to the benefits or privileges of employment, and whether those requests have been granted or denied;

(6) The reasons for denial of requests for reasonable accommodation;

(7) The amount of time taken to process each request for reasonable accommodation; and

(8) The sources of technical assistance that have been consulted in trying to identify possible reasonable accommodations.

b. This report will provide a qualitative assessment of GSA's reasonable accommodation program, including any recommendations for improvement of GSA's reasonable accommodation policies and procedures.

## Appendix A. GSA Form 3676

CONFIRMATION OF REASONABLE ACCOMMODATION			
INFORMATION ON REQUESTOR			
NAME		OCCUPATIONAL SERIES, GRADE LEVEL	OFFICE <i>(Include correspondence symbol)</i>
TELEPHONE NUMBER		FAX NUMBER	E-MAIL ADDRESS
REQUEST			
DATE	NEED <i>(Check one)</i> <input type="checkbox"/> APPLICATION PROCESS <input type="checkbox"/> PERFORMING JOB FUNCTIONS OR ACCESSING WORK ENVIRONMENT <input type="checkbox"/> ACCESSING A BENEFIT OR PRIVILEGE <i>(e.g., attending a training program or social event)</i> <input type="checkbox"/> PERSONAL ASSISTANCE SERVICES		
TYPE(S) <i>(e.g., adaptive equipment, staff assistant, removal of architectural barrier)</i>			

REASON(S) (If accommodation is time sensitive, please explain)

SIGNATURE OF REQUESTOR

DATE \_\_\_\_\_

GENERAL SERVICES ADMINISTRATION

GSA 3676 REV. XX/XXXX

## Appendix B. [GSA3677-20.pdf](#)

### REVIEW OF REASONABLE ACCOMMODATION REQUEST

Type or print all applicable entries. Attach decision letter to this form. Sign and date. Provide requestor with a copy of the complete package.

NAME OF REQUESTOR	TYPE(S) OF ACCOMMODATION REQUESTED	DATE OF REQUEST
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#### DECISION (Check one and provide date)

<input type="checkbox"/> APPROVED	DATE: _____	<input type="checkbox"/> DENIED	DATE: _____
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Specify the type(s) of accommodations approved or denied:

If Denied was checked, choose one of the following reasons:

If Requestor rejected an offer of an alternative accommodation, explain the reason for the denial of the original requested accommodation and how the offered alternative accommodation would be effective.

#### INSTRUCTIONS FOR RECONSIDERATION OF DECISION

If an individual wishes to request reconsideration of this decision, take the following steps:

- Ask the decision maker to reconsider denial. Additional information may be presented to support this request.
- If the decision maker was the individual's supervisor, the individual can ask a higher level manager in the chain of command to review the decision.
- If the decision is not overturned, the individual may file an Equal Employment Opportunity (EEO) complaint, or pursue Merit System Protection Board (MSPB) or union grievance (collective bargaining claim) procedures.

To do this, take the following steps:

- For an EEO complaint pursuant to the Code of Federal Regulations as defined in 29 C.F.R. Part 1614, contact GSA's EEO Office within 45 calendar days from the date of the decision.
- For a collective bargaining claim, file a written grievance according to the provisions of the Collective Bargaining Agreement.
- For a MSPB appeal submit the request within 30 days of an appealable adverse action as defined in 5 C.F.R. Part 1201.3.

SIGNATURE OF DECISION MAKER	NAME OF DECISION MAKER	DATE
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GENERAL SERVICES ADMINISTRATION

GSA 3677 (REV. 11/2020)

## Appendix C. Sample Final Decision Letter

Date:

MEMORANDUM FOR: Requester's Name  
[Employee Position Title]  
[Organization and Office Symbol]

FROM: [Supervisor Name]  
[Supervisor Position Title]  
[Supervisor Organization & Office Symbol]

RE: Final Decision on Request for Reasonable Accommodation

Dear :

This letter is my final decision on your request for reasonable accommodation pursuant to Section 501 of the Rehabilitation Act of 1973, as amended, date and received on \_\_\_\_\_.

In your request, you asked that the General Services Administration (GSA) provide you with (describe the requested accommodation) because of your (explain the disability and any other relevant information regarding the request.)

In response to your request, GSA(Describe in detail what you and others, if any, did in response to the request, and include any information on delays/extensions, etc.)

(Provided below is a sample)

On (date), I met with you to discuss the specific facts and circumstances surrounding your request. I concluded that medical documentation was needed to support your request and contacted the Office of Human Resources to coordinate the medical documentation. On (date), the Office of Human Resources received the medical documentation.

INSTRUCTION: Insert here any sources of technical assistance, if any, consulted in trying to identify possible reasonable accommodations (examples, GSA Center for Information Technology Access (CITA), Job Accommodation Network, Federal IT Accessibility Initiative at web site [www.section 508.gov](http://www.section508.gov), etc.)

After considering your request and relevant information, I have decided to (grant/deny/grant with modifications) your request. (Explain further, if request denied or granted with modifications, the specific details of the facts and rationale behind that decision, for example, why accommodation would be ineffective or why it would result in

undue hardship.)

If you are dissatisfied with this final decision, you may request reconsideration of my decision within seven (7) calendar days from receipt of this letter from (If employee, the request is made to next higher level management official/supervisor). If applicant, the request is made to the Director of the HRSC, or his or her designee within seven (7) calendar days from receipt.)

If you have additional information to support your request, you should submit it with your request for reconsideration.

If you have any questions regarding the reasonable accommodation process, you may contact [LRAC information].

Sincerely,

Decision Maker

## Appendix D. Reasonable Accommodation Resources

1. General Services Administration (GSA), Office of Administrative Services (OAS),\_ Center for Information Technology Access (CITA). CITA is a resource that provides assistive technology expertise to eliminate information access barriers for persons with disabilities or impairments. A credentialed Assistive Technology Professional and Rehabilitation Engineering Technologist is available to provide expertise to employees, supervisors, and other stakeholders in the reasonable accommodation process.

For guidance with regard to making electronic and information technology (IT) accessible to individuals with disabilities (Section 508 of the Rehabilitation Act of 1973), visit the Federal IT Accessibility Initiative website at [www.section508.gov](http://www.section508.gov).

2. GSA Schedules. GSA has established schedule contracts that include commercially available assistive products and services (e.g., Language Services, provides sign language and braille translation services). Go to the GSA Advantage! web site at [www.gsaadvantage.gov](http://www.gsaadvantage.gov) and select “e-Library” for the schedule listings, descriptions of the products and services available, and award information.

3. Job Accommodation Network (JAN). The JAN is a service funded by the U.S. Department of Labor Office of Disability Employment Policy (ODEP) providing expert, and confidential guidance on workplace accommodations and disability employment issues affecting employment of people with disabilities. JAN can provide free information about many types of reasonable accommodations. Call 1-800-526-7234 (Voice/TT), or visit the web site at [www.askjan.org](http://www.askjan.org).

4. ADA National Network Centers. The ADA National Networks centers consist of ten federally funded regional centers that provide information, training, and technical assistance on the ADA. Each center works with local business, disability, governmental, rehabilitation, and other professional networks to provide current ADA information and assistance, and places special emphasis on meeting the needs of small businesses. The ADA National Networks can make referrals to local sources of expertise in reasonable accommodations. Call 1-800-949-4232 (Voice/TT), or visit the web page at [www.adata.org](http://www.adata.org).

5. Registry of Interpreters for the Deaf. Call (301) 608-0050 (Voice/TT), or visit the web page at [www.rid.org](http://www.rid.org).

6. Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) Technical Assistance Project. RESNA can refer individuals to projects in all 50 states and the six territories offering technical assistance on technology-related services for individuals with disabilities. Services may include:

a. Information and referral centers to help determine what devices may assist a person with a disability (including access to large databases containing information on thousands of commercially- available assistive technology products);

b. Centers where individuals can try out devices and equipment; or

c. Assistance in obtaining funding for and repairing devices, and equipment exchange or recycling programs. Call (703) 524-6686 (Voice), or (703) 524-6639 (TT), or visit the web page at [www.resna.org](http://www.resna.org).

7. U. S. Equal Employment Opportunity Commission (EEOC). The EEOC provides resource information and policy guidance for processing reasonable accommodation requests and frequently asked questions which are available through the Internet at web site <http://www.eeoc.gov>, or by calling 1-800-669-3362 (Voice) or 1-800-800-3302 (TT). Some relevant guidance and documents include:

- Enforcement Guidance: Pre-employment Disability-Related Questions and Medical Examinations;

- Enforcement Guidance: Workers' Compensation and the ADA;

- Enforcement Guidance: The Americans with Disabilities Act and Psychiatric Disabilities;

- Fact Sheet on the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act;

- Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act; and

- Enforcement Guidance: Reasonable Accommodation and Undue Hardship for Americans with Disabilities (ADA).



## Appendix E. Definitions

- a. Applicant. Someone who is applying for a job with GSA.
- b. Assistive Technology. An item, piece of equipment, or system that is commonly used to increase, maintain, or improve the functional capability of individuals with disabilities. Assistive technology includes but is not limited to ergonomic keyboards, screen-enlarging software, voice dictation software, screen readers, etc.
- c. Day. Calendar day, unless otherwise specified.
- d. Decision Maker (DM). The GSA official who grants or denies the request for reasonable accommodation. In GSA, there are two DMs who can process a request from an employee. The first level supervisor in the employee's immediate supervisory chain will render a decision on a reasonable accommodation request, except in the event of an extended absence of the first level supervisor; in that event, the second level supervisor shall be the DM. For applicants, the DM is the Director of the servicing Human Resources Services Center (HRSC).
- e. Direct Threat. A significant risk of substantial harm to the health or safety of the individual with a disability or others that cannot be eliminated or reduced by reasonable accommodation(s).
- f. Essential Functions. Those job duties that are so fundamental to the position that:
  - (1) The individual holds or desires that he/she cannot do the job without performing them.
  - (2) The function can be "essential" if, among other factors:
    - (a) The position exists specifically to perform that function,
    - (b) There are a limited number of other employees who could perform the function, or
    - (c) The function is specialized and the individual is hired because of his/her ability to perform that function.
  - (3) Determining the essential functions of a position will be done on a case-by-case basis by the supervisor or manager in consultation with OHRM to reflect the job as it is actually performed, and will not solely rely on what is stated in a generic job description.
- g. Extenuating Circumstances. Factors beyond GSA's control which hinder its ability to provide a reasonable accommodation within the required thirty (30) calendar day time frame outlined in this order. Examples of extenuating circumstances include,

but are not limited to:

- (1) Awaiting requested medical information from the requester's health care provider;
- (2) Delays encountered when ordering equipment that may be backordered, the vendor normally used has gone out of business; or
- (3) There are unexpected delays by the vendor.

The extended absence of the DM or other situations within GSA's control are not considered to be extenuating circumstances and should not delay the processing of a request except as specifically described in this policy.

h. Individual with a Disability. An individual who:

- (1) Has a physical or mental impairment that substantially limits one or more major life activities,
- (2) Has a record of such impairment,
- (3) Is regarded as having such impairment.

i. Interactive Process. The process by which the requester seeks a reasonable accommodation, supervisors, managers, and the reasonable accommodation coordinators talk to each other about the request and related issues, including potential alternative accommodations and timeframes for providing an accommodation.

j. Local Reasonable Accommodation Coordinators (LRAC). A designated local primary/alternate Human Resources (HR) specialist in the servicing HRSC, either on a full-time or collateral-duty basis, with the appropriate knowledge, skills and abilities responsible for providing advice, and assistance to employees, DMs, and other agency officials on processing reasonable accommodation requests.

k. Major Life Activities. Major life activities include, but are not limited to, such activities as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. Major life activities also include the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, and reproductive functions. The operation of a major bodily function includes the operation of an individual's organ within a body system. In determining other examples of a major life activities, the term "major" shall not be interpreted strictly to create a demanding standard for disability. Whether an activity is a "major life activity" is not determined by reference to whether it is of central importance to daily life.

Generally, a major life activity is something of fundamental significance to people in the general population, and not simply an activity important to a particular individual.

l. Medical Review Officer (MRO). Medical professional(s) acting on behalf of GSA to review medical documentation, or to conduct a medical examination when necessary, and to render a medical opinion as it relates to requests for reasonable accommodation. LRAC/NRAC determines if a MRO will be necessary on a case by case basis, and may do so only with the express permission of the reasonable accommodation requester.

m. Mitigating Measures. Any medications, medical supplies, equipment or appliances, auxiliary aids or services, learned behavioral or adaptive modifications, and assistive devices or technology that an individual uses to eliminate or reduce the effects of impairment. The ameliorative effects of ordinary eyeglasses or contacts intended to fully correct the vision of an employee or applicant for employment shall be considered. In addition, when assessing whether an individual's impairment substantially limits a major life activity, the non-ameliorative effects of mitigating measures, such as negative side effects of medication or burdens associated with following a particular treatment regimen may be considered.

n. National Reasonable Accommodation Coordinator (NRAC). A designated national level program manager and subject matter expert in OHRM with oversight and compliance responsibility for GSA's reasonable accommodation program.

o. Personal Assistance Service Provider (PASP). An employee or independent contractor whose primary job functions include provision of personal assistance services (PAS).

p. Personal Assistance Services (PAS). Assistance with performing activities of daily living that an individual would typically perform if he or she did not have a disability, and that is not otherwise required as a reasonable accommodation, including, for example, assistance with removing and putting on clothing, eating, and using the restroom

q. Physical or Mental Impairment. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine, or any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities. This includes an impairment that is episodic in nature or in remission if it would substantially limit a major life activity when active, such as cancer or epilepsy. The impairment does not need to prevent, or severely or significantly restrict a major life activity to be considered "substantially limiting".

r. Qualified Individual with a Disability. An individual with a disability is *qualified* if:

(1) He/she satisfies the requisite skill, experience, education, and other job-related requirements of the employment position such individual holds or desires; and

(2) He/she can perform the essential functions of the position, with or without reasonable accommodation.

s. Reasonable Accommodation. Reasonable accommodation is:

(1) Modification or adjustment to the job application process that enables a qualified applicant with a disability to be considered for the position such qualified applicant desires; or

(2) Modification or adjustment to the work environment, or the manner or circumstances under which the position held or desired is customarily performed, that enables a qualified individual with a disability to perform the essential functions of the position; or

(3) Modification or adjustment that enables a covered entity's employee with a disability to enjoy equal employment benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.

t. Reassignment. Reassignment is a form of reasonable accommodation that is considered as a last resort for an employee (not applicant) who, because of disability, can no longer perform the essential function of his/her position, with or without reasonable accommodation. A reassignment is made only to a funded vacant position when the employee meets the qualification requirements for the position. If the employee is qualified for the position, he or she will be non-competitively reassigned provided the position has no higher promotion potential than his or her current position. The provisions of GSA's merit promotion plan will apply if the vacant position being considered as a reasonable accommodation has higher promotion potential.

u. Reconsideration Official. The appropriate official, typically the next level of supervision above the DM, or his/her designee, who will receive the request for reconsideration of a final decision and will respond to the request in accordance with the procedures established herein.

v. Record of Disability. An individual has a "record of disability" if he/she does not currently have a substantially limiting impairment but had one in the past, or was once misclassified as having a substantially limiting impairment.

w. Regarded as Disabled. An individual is "regarded as disabled" if the individual has been subjected to an action prohibited by the ADA (e.g. failure to hire, termination, or demotion) for an actual or perceived physical or mental impairment that is not both transitory and minor, regardless of whether or not the impairment substantially limits or is perceived to substantially limit a major life activity. GSA is not obligated to accommodate an individual who meets the definition of regarded as disabled solely on

the basis that he or she is perceived to have a disability.

x. Requester. A qualified employee or applicant including a representative acting on the employee's or applicant's behalf, who requests reasonable accommodation.

y. Substantially Limits. The inability of an individual to perform a major life activity that most people in the general population can perform; or being significantly restricted as to the condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner or duration under which most people in the general population can perform that same major life activity. However, to be substantially limited consistent with EEOC regulations found at 29 C.F.R., part 1630, the term substantially limits shall be construed broadly in favor of expansive coverage.

z. Targeted Disabilities. A disability that is designated as a "targeted disability or health condition" on the [Office of Personnel Management's Standard Form 256](#).

aa. Transitory and Minor. An impairment that lasts or is expected to last six months or less, but is not minor; or an impairment that is minor, but is expected to last six months or more will be entitled to reasonable accommodation.

bb. Undue Hardship. An undue hardship is an action requiring significant difficulty or expense. If a specific type of reasonable accommodation causes significant difficulty or expense to the agency, GSA is not required to provide that particular accommodation. Determination of undue hardship is made on a case-by-case basis, considering factors that include but are not limited to, the nature and net cost of the accommodation needed, financial resources, size, and the impact of the accommodation on the overall operations of the agency.



U.S. General Services Administration

Real Estate  
Acquisition  
Technology  
Shared Services

# GSA Strategic Plan

FISCAL YEARS 2018 - 2022





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## Effective and efficient Government for the people.

**At the U.S. General Services Administration (GSA), we are uniquely positioned to help the rest of Federal Government best serve the American people. The better our agency performs, the more our fellow Federal agencies are able to ensure the nation's security, protect public health, and strengthen communities.**

GSA leads the way in maximizing the effectiveness of every tax dollar by supporting more than \$54 billion in procurement spend, and with 8,700 owned and leased properties across the United States and its territories. We achieve cost savings and efficiencies through smarter acquisition, responsible management of Federal real estate, transformative use of technology, and leading practices across Government. By making it easier to do business with Government, GSA strives to be an exceptional partner to industry, especially small and innovative companies.

Based on input from our partners in Federal agencies, local communities, and the commercial sector, we are setting out four strategic goals that form the backbone of GSA's FY 2018-2022 Strategic Plan:

**Save taxpayer money through better management of Federal real estate**

We will deliver cost savings and value for taxpayers through smart asset management while also providing cutting-edge workplace solutions that help agencies fulfill their important missions.

**Establish GSA as the premier provider of efficient and effective acquisition solutions across the Federal Government**

We will lead acquisition and procurement strategies that help agencies access inventive and effective commercial solutions, make it easier to do business with Government, and use our buying power to drive cost savings.

**Improve the way Federal agencies buy, build and use technology**

We will lead the charge to modernize Government's approach to technology products and services. We will guide agencies through innovative and efficient technology deployment to meet their missions and fulfill the needs of Americans in a rapidly evolving and complex world.

**Design and deliver expanded shared services within GSA and across the Federal Government to improve performance and save taxpayer money**

We will transform administrative services in Government by leading the consolidation of common mission-support processes and services across the Government. Implementing this best practice will make these services better, faster, and more affordable while allowing Government agencies to dedicate more resources to their missions.

GSA's unwavering commitment to a culture of high-performance and customer focus -- reinforced by our agency values of Service, Accountability, and Innovation -- is the key to helping agencies deliver on their mission. When we do our job well, the American people win.

Thank you,



Emily W. Murphy  
Administrator



We have been  
delivering the best  
value in real estate,  
acquisition and  
technology services,  
to the Federal  
Government and  
American people for  
more than 67 years.

## Our history.

**GSA was established on July 1, 1949, as a result of the Hoover Commission. The agency consolidated administrative functions across Government into one organization in order to avoid duplication, reduce cost, streamline the acquisition and distribution of supplies, and centralize the management of Federal buildings.**

Over the subsequent seven decades, the nation's population has more than doubled, the price of real estate in major cities has skyrocketed, and super-computers have gone from filling three-story rooms to fitting in our pockets. The world has become vastly more interconnected. Federal agencies are striving to match the pace of change, evolving to meet new domestic and global challenges and better serve the American public.

What has not changed is GSA's steadfast commitment to support our Federal customers and stakeholders by providing cost-effective, high-quality services. Our focus is on delivering value to our partner agencies so they can focus their resources on fulfilling their own important missions to the American people.

Our agency provides the spaces, technical innovation, and goods and services essential to operate the Federal Government. We provide workplaces by constructing, managing, and preserving Government buildings and commercial leases. Our acquisition solutions offer private sector professional services, equipment, supplies, telecommunications, and information technology to Government organizations and the military. Our technology leadership helps agencies build, buy, and share technology in ways that support their missions to better serve the public. Our implementation of Government-wide policies promotes management best practices and efficient Government operations.

Our success relies on bringing together a talented and diverse workforce -- including data scientists, real estate experts, architects, acquisition specialists, technologists, and policy analysts -- to build a cohesive, customer-focused team. The next section outlines GSA's current organizational structure and our mission, vision, and values, followed by a summary of our strategy for the future.

## GSA today.

**GSA has two main service lines, Federal Acquisition Service (FAS) and Public Buildings Service (PBS), as well as, the Office of Government-wide Policy (OGP) and a set of staff offices that support the efficient and effective operation of the agency.**

### **Federal Acquisition Service**

FAS provides Federal agencies over 28 million different products and services, and annually delivers over \$54 billion in information technology products, services and solutions, telecommunications services, assisted acquisition services, travel and transportation management solutions, motor vehicles and fleet services, and charge card services. FAS manages over 200,000 leased vehicles, more than 3.3 million charge cards, and provides personal property disposal services facilitating the reuse of \$1 billion in excess/surplus property annually. FAS leverages the buying power of the Federal Government by negotiating prices on many products and services required by agencies for daily operations. By arranging a network of service providers, FAS is able to meet the operating and mission requirements of a vast array of Federal agencies and state, local, and tribal Governments. Leveraging its Technology Transformation Service, FAS and the Centers of Excellence improve the

public's experience with Government by obtaining and sharing technology applications, platforms, and processes to make their services more accessible, efficient, and effective.

### **Public Buildings Service**

PBS activities fall into two broad areas: workspace acquisition and property management. PBS acquires space on behalf of the Federal Government through new construction and leasing, and acts as a caretaker for Federal properties across the country. As the largest public real estate organization in the United States, PBS owns or leases 8,700 assets and maintains an inventory of 371 million square feet of rentable workspace. Within this inventory, PBS has more than 500 owned and leased historic properties. PBS provides high-quality facility and workspace solutions to more than 55 Federal agencies, disposes of excess or unneeded Federal properties, and promotes the adoption of innovative workplace solutions and technologies. Through lease, construction, and purchase transactions, PBS delivers the workspace necessary to meet the varied missions of its Federal customers. PBS is working with its Federal customers to design the workplace of the 21st century, seeking to reduce overall workspace needs and associated costs.

These services are also coordinated to obtain the best available pricing.

### **Office of Government-wide Policy**

OGP uses policies, information, and ideas to drive efficiency and management excellence across Federal Government for key administrative areas, including travel and transportation, acquisition, fleet management, information technology, and real estate management. OGP helps drive agency behavior in these areas by developing Government-wide policy making, performance standards, analysis and benchmarking of data, and regular reporting to Federal agencies and key stakeholders.

Assurance, Office of Strategic Communication, Office of Customer Experience, Office of Civil Rights, and the Office of Small Business Utilization).

### **Staff Offices**

GSA has three independent staff offices (Office of the Inspector General, Civilian Board of Contract Appeals, and the Federal Permitting Improvement Steering Council). Eleven GSA staff offices support the enterprise. They ensure GSA is prepared to meet the needs of customers on a day-to-day basis and in crisis situations (Office of Administrative Services, Office of Congressional and Intergovernmental Affairs, Office of the Chief Financial Officer, Office of the Chief Information Officer, Office of Human Resource Management, Office of General Counsel, Office of Mission





## Our strategy for the future.

**GSA takes pride in delivering high-quality, cost-effective services in real estate, acquisition, and technology for customers across Federal Government. These service areas represent the core of GSA's offerings, and we know we must continue improving them to satisfy the needs and expectations of our customers.**

Agencies want to focus their full attention and resources on mission delivery for the American people. They expect support services to be easy-to-use, reliable, and cost-effective.

Knowing this, we have set an ambitious goal: for GSA to be the place where agencies come to meet their mission-support needs. Whether GSA directly delivers those services or arranges for others to do

so, we believe GSA is ideally positioned to fulfill this role. GSA has the ability to capitalize on economies of scale to drive down costs, pool and mitigate the market risks that agencies are currently taking on themselves, reduce duplication in common administrative functions, and help agencies make smarter decisions using GSA's expertise and analysis of the marketplace.

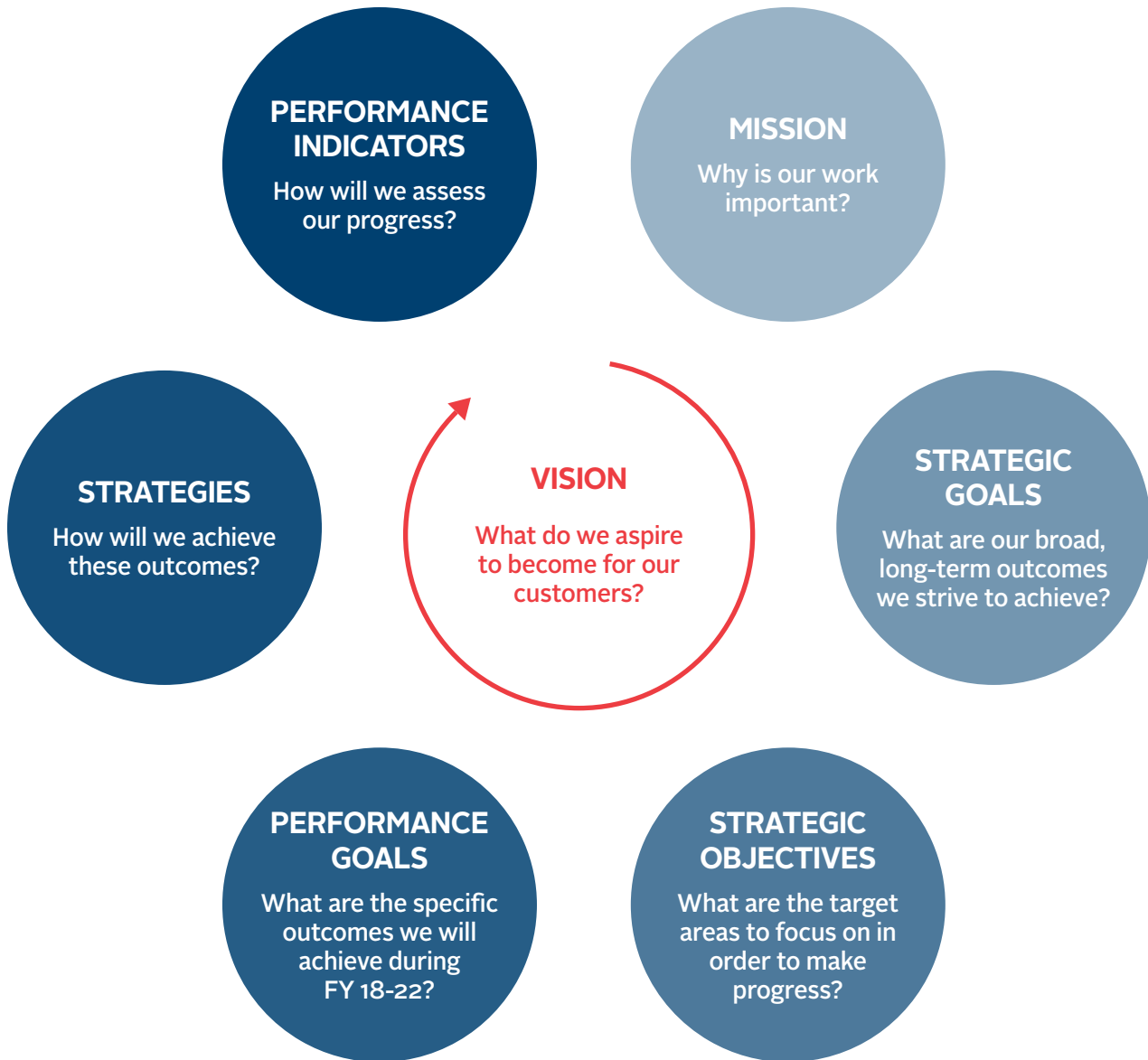
This strategic plan is the blueprint for GSA to fulfill its mission on behalf of the Federal Government over the next five years. Based on customer agency feedback, input from our own employees, supplier engagement, and operational analysis, GSA recognizes that we must improve our current services, expand into new areas, and transform our approach toward serving customers.



The most important shift will be a concerted effort to support the full range of customer needs throughout the product and services life cycle. GSA will undertake a set of initiatives in the near term to help achieve this, including:

- For all GSA products and services, developing a clear, standardized menu of options; collaboratively identifying new offerings based on opportunity, maturity, and relevance; and “certifying” products and services that are ready for launch;
- Consolidating and harmonizing our internal structure and processes to strengthen interactions with customers and suppliers;
- Enhancing our delivery of integrated products and services, including contractual vehicles;
- Promoting and facilitating customer agencies’ use of shared services—whether delivered directly by GSA or another provider—by supporting agencies throughout the product/service life cycle; and
- Ensuring that GSA’s internal support services operate efficiently and responsively, to fuel high performance at GSA and serve as a model for support services across Government.

In sum, GSA’s FY 2018-2022 strategy is designed to build the policies, processes, and organizational capabilities to provide the rest of Government with efficient and effective support services, so they can focus on delivering their mission.



**OUR PERFORMANCE AND STRATEGY FRAMEWORK**

## Key Terms and Definitions

**Strategic Goal** Includes the goal statement and goal overview. Strategic goals represent the highest level statement of aim or purpose that is included in the strategic plan. This plan's four strategic goals articulate clear statements of what the agency wants to achieve to advance its mission and vision statements.

**Strategic Objective** Includes the objective statement and the objective overview. This plan's 11 strategic objectives are the primary units for strategic analysis and decision making. Strategic objectives reflect the high-level outcomes or impacts the agency is trying to achieve and collectively represent all areas of agency activity.

**Key Strategy** Represents a key approach or initiative that will be pursued to advance the related objective. These may include, but are not limited to, major organizational or business model changes, service delivery model changes, new areas of strategic focus, implementing best practices, and/or process improvement reforms

**Performance Goal** Represents mid-level outcomes or impacts GSA will achieve. Each strategic objective has a cascaded set of performance goals and related key strategies that

together depict what GSA aims to achieve, and the steps that will be taken to meet those objectives. Progress towards performance goals is measured through performance indicators.

**Performance Indicator** These measures are used to track progress towards achieving performance goals. GSA reports on performance progress in the agency's Annual Performance Plan and Report.



## Goals and Objectives Summary Guide

### STRATEGIC GOAL 1

Save taxpayer money through better management of Federal real estate.

1.1

Reduce the cost of Federal inventory.

1.2

Establish GSA as a more effective provider of real estate services for all agencies.

### STRATEGIC GOAL 2

Establish GSA as the premier provider of efficient and effective acquisition solutions across the Federal Government.

2.1

Design and deliver GSA products and services that yield measurable savings while aligning with customer mission objectives and changing market demand.

2.2

Make it easier to do business with the Government by simplifying processes and streamlining access for our customers and suppliers.

2.3

Enhance customer agency access to qualified socio-economic entities.

## STRATEGIC GOAL 3

Improve the way Federal agencies buy, build, and use technology.

3.1

Lead Government-wide technology modernization initiatives.

3.2

Drive more efficient and innovative Government procurement of technology services.

3.3

Lead implementation of technical standards, policies, and strategies.

## STRATEGIC GOAL 4

Design and deliver expanded shared services within GSA and across the Federal Government to improve performance and save taxpayer money.

4.1

Develop new organizational capabilities to understand customer demand and deliver integrated offerings to support common business processes Government-wide.

4.2

Promote adoption of shared services by agencies through policy, guidance, and benchmarking.

4.3

Support the overall mission of GSA by investing in our employees and modeling how we deliver internal support services, while providing policy guidance across Government.



We provide  
workplaces  
by constructing,  
managing, and  
preserving  
Government  
buildings and by  
leasing and managing  
commercial real  
estate.

## Strategic Goal 1

### Save taxpayer money through better management of Federal real estate.

GSA will achieve cost savings for the Federal Government by enhancing asset management and optimizing space utilization to provide the best price in Federal leased and owned real estate. Effective and integrated delivery of workspace solutions will provide our customers the opportunity to focus time and resources on their mission-related operations. Greater integration and consistency of our services will also improve the experience of our Federal customers.

Innovative and shared portfolio planning at the local and national level will be used to find the right solution at a lower cost for new leases. In doing so, GSA will lower the cost associated with its owned and leased real estate portfolio to better meet the needs of its customers. GSA will also focus on optimizing revenue from the sales of GSA and other federally owned real property assets to ensure a Government-owned portfolio of high-performing assets.

### STRATEGIC OBJECTIVE 1.1 Reduce the cost of Federal inventory.

Key Performance Goal	Generate cost avoidance through lease negotiations.
Lead Office	Public Buildings Service

With over half of GSA lease space expiring in the next few years, GSA will increase cost savings by utilizing a wide range of strategies. GSA will increase the usage of automated systems and private sector brokers, where appropriate, to improve our efficiency in awarding leases. GSA will also negotiate longer lease terms to provide better value for our Federal customers. GSA will also reduce the Federal footprint – cost and size of the Federal Inventory – by improving workspace utilization, disposing of underperforming assets, and increasing the proportion of assets with positive funds from operations. These, and many other initiatives, combine to create a tremendous opportunity for meeting the GSA mission and saving taxpayer dollars.

#### Key Strategies

##### Improve utilization by reducing the Federal footprint:

Work with Federal partners to adopt agency specific design standards that facilitate new work arrangements and increase utilization.

Help identify opportunities for co-location and consolidation of agency office spaces.

##### Increase use of longer lease terms, where appropriate, as a mechanism for cost savings:

Pursue all available strategies to increase cost savings, including maximizing lease terms. More than half of GSA leased space is expiring over the next four years, creating an opportunity to realize cost savings.

##### Increase usage of the Automated Advanced Acquisition Program (AAAP) and GSA Leasing Support Services (GLS) for lease awards:

The AAAP is a multiple award lease procurement tool that allows potential suppliers to compete for multiple Federal leases by submitting a single offer through a simple on-line portal. Increased use of the AAAP will reduce administrative cost and burden for Government and industry partners, while also using scale to deliver cost savings.

GLS assists in delivering the best value in space solutions for the Government and taxpayers,

leveraging private sector resources and expertise with reduced contract administration.

**Increase assets with positive funds from operations:**

Continue to identify and invest in core assets on the basis of Federal need, asset use, asset condition, and market value.

**Dispose of under-performing Federal assets:**

Work with agencies to develop and prioritize effective and efficient real property repositioning strategies.

Aggressively identify and dispose of under-performing Federal assets through expanded sales and out leases, auctions and transfers to local entities.

Partner with stakeholders to ensure disposal projects leave a positive impact on communities.

**STRATEGIC OBJECTIVE 1.2****Establish GSA as a more effective provider of real estate services for all agencies.**

Key Performance Goals	Provide building cleaning and maintenance at competitive costs. Improve tenant satisfaction with Government-owned and leased space.
Lead Office	Public Buildings Service

GSA will support Federal agencies in fulfilling their mission by offering integrated turn-key services, providing high-quality facility and workspace solutions, and improving responsiveness and value to customers. Building on ongoing efforts, GSA will focus on reducing cost without impacting service levels through increased use of standardized contracts and GSA procurement tools for building operations and maintenance contracting. To more fully assess customer experience, GSA will implement an improved methodology to gauge the Federal customer's experience and satisfaction with services. Finally, GSA will provide staff with the tools to ensure delivery of high-quality services.

**Key Strategies****Improve productivity by investing in our people:**

Continue to train staff, develop new tools, and improve processes to support strong teamwork and delivery of services.

**Reduce the cost of operations and maintenance contracts without impacting service levels:**

Build upon current efforts to save taxpayer money by improving operations and leveraging buying power through standardized contracts and GSA procurement tools.

**Improve responsiveness and value to customers:**

Work with customer agencies to identify common goals and initiatives together.

Strengthen customer relationships through a commitment to increase information sharing.

**Increase the use of integrated, turn-key services for customers:**

Provide more options and integrated offerings across the product and service life cycle for real estate management services, including consultation and mission-support services.

We provide  
acquisition solutions,  
offer private  
sector professional  
services, equipment,  
supplies, and IT  
to Government  
organizations and  
the military.

## Strategic Goal 2

Establish GSA as the premier provider of efficient and effective acquisition solutions across the Federal Government.

GSA is committed to delivering service, innovation, and value through efficient operations, market expertise, and proactive partnerships with customer agencies and private sector vendors. Generating economies of scale is the cornerstone of our acquisition solutions, enabling us to negotiate better prices. Every day, we help our customers make smart purchasing decisions to acquire the goods and services they need.

GSA is dedicated to improving the contract vehicles, services, and products we provide to Federal agencies, military, and state/local entities. We make access to the Government market easier, faster, and less costly to socio-economic providers. We are achieving this by designing and delivering solutions that meet current needs and anticipate future requirements.



**STRATEGIC OBJECTIVE 2.1**

**Design and deliver GSA products and services that yield measurable savings while aligning with customer mission objectives and changing market demand.**

Key Performance Goal	Increase customer satisfaction.
Lead Office	Federal Acquisition Service

Using the purchasing power of the Federal Government, GSA reduces Federal agencies' operating costs, enabling them to focus on their core missions to serve the public at best value. We are always looking for new ways to help these agencies make their purchases smarter and more efficient. This ability to achieve savings or avoid costs depends largely on developing common requirements across the Government that leverage our purchasing power. Throughout GSA's acquisition operations, our goal is to place customers at the center of our operations, develop common requirements across the Government, and increase adoption of our solutions for agencies' common needs. Knowing this, we have developed robust strategies to meet the current and future demands of our customers.

In order to fully maximize the purchasing power of the Federal Government, we will provide market intelligence and acquisition expertise to the Federal marketplace. GSA is committed to bringing

Government-wide contract spend into common categories to further capture economies of scale. This approach also creates economies of skill for Government as a whole when agencies can rely on GSA to deliver the right goods and services for their mission needs.

### Key Strategies

**Better understand and anticipate customer needs by developing a robust and effective customer management approach:**

Grow and refine the approach to strategic account management by:

- Strengthening client relationships by serving as a trusted advisor;
- Generating analytics and customer intelligence to inform decisions and provide our customers with meaningful recommendations; and
- Leveraging relationships and market intelligence, to manage and customize GSA offerings.

Develop a Voice of the Customer (VOC) process, which ensures we gather customer feedback to improve the effectiveness of our solutions, service delivery, and customer interactions.

Enhance the customer experience through innovative customer experience mapping and usability testing of GSA systems and solutions.

Increase agency adoption of full life cycle assisted acquisition solutions for large and/or complex projects. The Assisted Acquisition Services program offers these value-added, customized, acquisition project management, and financial management services for large and/or complex information technology and professional services solutions.

**Improve market intelligence and optimize Federal buying power by leveraging commercial principles:**

Mature and expand the internal use of business best practices (such as category management) to improve Government acquisition by pooling and sharing demand management, acquisition data, and supplier relationship management knowledge. Expanding use of data and business intelligence allows us to better understand, anticipate, and deliver customer requirements relative to specific markets and industries. This includes:

- Leading a number of Government-wide categories and working with top purchasing agencies to understand their use of these products and services, enabling us to enhance the customer's buying experience; and
- Developing purchasing strategies so that customers find best value for items and services.

**STRATEGIC OBJECTIVE 2.2**

**Make it easier to do business with the Government by simplifying processes and streamlining access for our customers and suppliers.**

Key Performance Goal	Increase supplier satisfaction.
Lead Office	Federal Acquisition Service

Every day the work that we do allows our customer agencies to better focus on their missions.

Partnership on all levels is essential to the success of GSA. Strong partnerships with other agencies and suppliers are critical, and support decisions that create value and savings for our customers and the American public. Doing business with GSA should be an easier and more transparent experience.

We must continuously improve our processes and systems to make them as simple and streamlined as possible.

### Key Strategies

#### Modernize and streamline IT systems:

Simplify the acquisition experience for the supplier and customer communities:

- Improving GSA and agency data access and quality so that acquisition and program leaders can make better procurement decisions;
- Empower GSA governance systems to streamline investments for better results;
- Increase the use of cost-effective strategic

delivery of commercially readily available items by improving electronic integration with supply chain partners; and

- Assess the feasibility and opportunities for adoption of e-commerce commercial platforms.

#### **Simplify processes to make Multiple Award Schedule contract vehicles the Government's vehicle of choice for commercial products, services, and solutions:**

Provide our stakeholders with a Multiple Award Schedules program that addresses current market forces and provides Government with a streamlined, value-based contracting solution that continues to save time and money well into the future. We are transforming the program in four distinct areas:

- Supplier engagement;
- Customer engagement;
- Competitive pricing; and
- Innovation.

**STRATEGIC OBJECTIVE 2.3****Enhance customer agency access to qualified socio-economic entities.**

Key Performance Goal	Create more opportunities for small businesses.
Lead Offices	Federal Acquisition Service, Office of Small Business Utilization

GSA will collaborate with industry on Federal acquisition requirements and best practices promoting opportunities for socio-economic entities. This includes all small businesses (disadvantaged, women-owned, veteran-owned, service-disabled veteran-owned, and businesses located in historically underutilized zones). GSA will continue to educate the acquisition workforce on the importance of meeting small business goals; ensuring our offerings promote a vibrant industrial and technological base.

**Key Strategies****Educate socio-economic entities on the opportunities available through the Multiple Awards Schedules:**

Find creative ways to educate socio-economic entities on opportunities in the Federal marketplace available through GSA.

Sponsor and deliver business development events.

Streamline outreach programs to promote

efficiency and effectiveness.

**Expand access to socio-economic buying options across GSA contracts:**

Seek creative ways to improve the small business experience with GSA:

- Provide free counseling;
- Develop new tools to access opportunities;
- Review rules and regulations that impact small businesses;
- Review subcontracting plans for small business inclusion;
- Survey internal and external customers to improve customer satisfaction; and
- Develop special resources for our veterans in line with EO 13360.

Participation in acquisition planning, internal procurement compliance reviews, and prime contractor subcontractor compliance reviews.

Enhance analytic, performance monitoring, and reporting capabilities.

## Strategic Goal 3

### Improve the way Federal agencies buy, build, and use technology.

Technology is critical to how every agency accomplishes its mission and serves the public. It is at the core of running mission-support operations, safeguarding critical information, and analyzing program data for agency decision making. However, the Federal Government continues to struggle with legacy IT systems, IT modernization hurdles, and procurement challenges, as well as keeping pace with the public's expectation for digital services.

The challenge of supporting, managing, and securing legacy systems significantly affects the ability of Federal agencies to meet current and evolving mission requirements. GSA can take the lead in a modernization that rethinks business problems and uses new, innovative technologies and IT practices to help Government IT work better. GSA and its agency partners have the capabilities to shift more Federal IT spending from maintenance to modernization.

The Federal IT procurement process includes requirements development and acquisition

practices that can be burdensome and time-consuming. GSA is helping agencies adopt new approaches for buying commercial-off-the shelf and as-a-service solutions. We are leading the development of modular contracting approaches to enable agile and efficient development of complex new requirements. GSA's goal is to assist agencies through the entire life cycle of procurement and system development.

Keeping up with the public's expectations for services, and digital services in particular, has been challenging for the Government. The technology challenges facing Federal agencies and the direct impact on the public are well-known by leaders across Government and the private sector. GSA has been a leader in using technology to make customer experiences simple, fast, and secure.

The Trump Administration created the Office of American Innovation and the American Technology Council to focus the attention and resources of the White House on this challenge. GSA will be an essential partner in providing solutions through

the Centers of Excellence, the IT Category, and the Office of Government-wide Policy. Our unique mix of talent and expertise in acquisition, technology, and service delivery -- combined with our

Government-wide scope and scale -- make GSA an agent of transformation in how Federal agencies buy, build, and use technology.

### STRATEGIC OBJECTIVE 3.1 Lead Government-wide technology modernization initiatives.

Key Performance Goal	Provide agencies with cloud authorizations to modernize IT portfolios.
Lead Office	Federal Acquisition Service

The “Report to the President on Federal IT Modernization (2017)” tasks agencies with achieving an array of critical goals involving enhanced IT security, greater use of cloud-based services, and the overall consolidation and modernization of IT networks. GSA is well positioned to help agencies meet these goals. GSA offers the full spectrum of technology assistance, including experts who assess system design, apply user-centered research and design techniques common in the private sector, and ensure fit with agency needs. GSA also offers platforms and services that can assist agencies in using modern IT tools and practices. These include supporting agencies’ move to the cloud; authentication and authorization services that seamlessly integrate with an agency’s public-facing systems; and many cost-efficient and well-designed tools to

communicate with the public via web sites. These partnerships foster trust and confidence in the goal of delivering essential Government services.

#### Key Strategies

##### Enable the provision of mature solutions to migrate agency systems to the cloud:

Work across multiple programs to help agencies move to the cloud in the least disruptive way. This includes:

- Issuing authorizations for cloud systems that are secure and continuously monitored;
- Making cloud systems available and easy to purchase; and
- Offering GSA technology talent to plan and implement cloud migrations that are efficient and cost-effective.

**Improve public access to Federal Government services through secure accounts and user-friendly tools:**

Offer the public secure and private on-line access to participating Government programs, with the goal of making Federal benefits, services, and applications easier to access and more secure.

Increase the cybersecurity of Federal IT systems hosting the public's personally identifiable information.

Improve the security position of the Government by decreasing insider threats.

**Help agency partners modernize and improve digital interactions:**

Ensure highly-skilled technologists are available to help agencies think through complex business problems and develop appropriate technical designs.

Assist with deploying technology solutions to meet agency business needs.

Monitor customer satisfaction with innovation, technology consulting engagements and acquisitions facilitated by 18F, the Presidential

Innovation Fellows (PIF), Schedule 70, Government-wide Acquisition Contracts (GWAC), and the Enterprise Infrastructure Solution (EIS) program.

**STRATEGIC OBJECTIVE 3.2****Drive more efficient and innovative Government procurement of technology services.**

Key Performance Goal	Improve technology procurements at customer agencies through acquisition consulting and assistance.
Lead Office	Federal Acquisition Service

The United States is a global leader in software and technology. Government must harness its national prowess in technology to not only drive economic growth, but to improve internal business practices and better serve the public. The acquisition process is a key success factor in Government technology practices.

Congress, the Government Accountability Office (GAO), and industry leaders have repeatedly recommended that Government “buy more and develop less” to improve technology outcomes. This requires the Government to expand the training and use of IT acquisition cadres as outlined in the Federal Information Technology Acquisition Reform Act (FITARA) and remove barriers to agile acquisition of new technologies. GSA is committed to developing and sharing the talent, best practices, and policy improvements needed to bring about these changes.

Multiple components of GSA will play a role in driving this strategic objective. Our staff is identifying and incorporating best practices in technology acquisition, and offering hands-on assistance to agencies at every stage of the process including:

- Research and scoping;
- User research and prototype development;
- Solicitation drafting and technical evaluation; post-award support; and
- Technical assistance during implementation.

The skills and knowledge developed in our organization will be shared across the Federal workforce to improve overall management of IT acquisition and operations.

**Key Strategies**

**Provide agencies with the ability to seamlessly acquire and manage compliant software, systems, and infrastructure at best value:**



Make buying and managing commercial off-the-shelf software-as-a-service (SaaS) easier for agencies by improving existing sales channels such as IT Schedule 70.

Further develop and improve Schedule 70 to provide Federal, state, and local customer agencies the tools and expertise needed to shorten procurement cycles, ensure compliance, and obtain the best value for innovative technology products, services, and solutions including buying and managing commercial off-the-shelf SaaS.

Efficiently and effectively transition agency telecommunications and information technology infrastructure to the EIS contract. Utilizing the EIS contract creates a simplified process for agencies to acquire integrated and streamlined solutions while taking advantage of cost reductions through aggregated Government-wide demand.

**Assist agency customers in successfully executing a modular contracting approach to enable agile and efficient development of new complex requirements:**

Use our leadership in technology and acquisition to work with agencies to introduce agile development methods into technology procurements, build the necessary skills to solicit and manage technology projects with agile suppliers, and, if needed, guide agency leads through the duration of the projects.

Continue to procure high-quality, lower-risk products at best value.

**STRATEGIC OBJECTIVE 3.3****Lead implementation of technical standards, policies, and strategies.**

Key Performance Goals	Provide agencies with the tools and resources to implement IT standards and policies.
Lead Office	Office of Government-wide Policy

Modernizing Government IT will also require the Federal Government to rethink how it constructs and implements technical standards, policies, and strategies. GSA will play a leading role in delivering economies of scale and more interoperability between functions and between agencies.

This policy role calls for active involvement of Federal agencies, the private sector, and other stakeholders from the initial stages of policy review and formulation. This collaboration helps ensure the best outcomes throughout the policy development life cycle by including the voice of agencies and GSA's experience with implementation.

GSA also enables agency implementation of Government-wide IT policies and programs guided by a set of core principles:

- Be a trusted Government partner: Align our mission with that of our Government clients,

to continuously improve the effectiveness of Federal IT;

- Craft long-term solutions: Foster a culture and history of sustained attention to finding IT solutions for complex and challenging cross-agency issues;
- Leveraging Federal scale: Seek to maximize the purchasing and processing power of the Federal Government to enable faster, cost-effective adoption of new technologies; and
- Champion the CIO: Work with Federal CIOs to understand, support, and address their most challenging issues.

GSA's experience with IT modernization, service delivery, and acquisition uniquely situates us to help agencies navigate through their own transformation and policy implementation. We support CIOs, IT procurement personnel, and

other decision makers with services, expertise, and solutions to address a broad spectrum of Federal IT challenges. We also serve as the central hub for Government-wide communities of practice to share information and collaborate on solutions for Government's most pressing IT challenges. These combined strategies improve the Federal IT ecosystem, create efficiencies, and reduce burden across Government.

### Key Strategies

#### **Provide a forum for agency technology experts to improve performance and effectively implement IT standards and policies:**

Convene communities of practice from around Government to discuss and plan approaches to address the most critical issues facing Federal IT. Top-notch technical expertise is spread throughout Government, and GSA plays a key role in bringing together the best minds to solve our greatest challenges.

#### **Support agencies' transition to and implementation of accessibility standards and policies:**

Work with partners in Government to use data-driven analysis and policy expertise to help agencies improve Federal IT service delivery to all Americans.

#### **Support agencies' implementation of cost-effective and efficient data center solutions:**

- Coordinate Government-wide data center optimization efforts;
- Develop best practices and tools to help agency CIOs measure progress;
- Advise agencies on operating standards and migration to encourage the use of inter-agency shared services providers and cloud providers, along with Government-wide contract vehicles; and
- Operate a shared services marketplace where agencies can choose from an inventory of data center services and automated management tools and products.

We promote  
management  
best practices  
and efficient  
Government  
operations through  
the development of  
Government-wide  
policies.

## Strategic Goal 4

### Design and deliver expanded shared services within GSA and across the Federal Government to improve performance and save taxpayer money.

Mission-support services across Government are challenged by inefficiencies and manual processes, duplicative investments in technology and capabilities, and an inability to consistently modernize technology and business practices. For example, Government-wide benchmarking data shows some agencies are entering nearly all of their vendor invoices manually and paying nearly 100 times more per processed invoice than the standard for electronic invoicing. Similar examples can be cited in key support functions at Federal agencies -- including human capital, IT support, finance, acquisition, and building services. Inefficiencies take valuable time and resources away from agency missions, impeding the Government's ability to deliver on public priorities. GSA is able to fundamentally change the way Government conducts mission-support services by designing and delivering expanded shared services.

"Shared services" is an industry-leading practice with proven success in consolidating processes, systems, and workforce to reduce costs and deliver common services in a standard way across complex enterprises. This practice also creates opportunities to share specialists and proven approaches across agencies. Helping agencies share common services and technology today will mean long-term cost savings for taxpayers, and a Government that is leaner and better equipped. Last year, the GAO stated that "moving to shared services can save the Federal Government billions of dollars as well as reduce duplicative efforts, decrease systems upgrades, and free up resources for mission-critical activities." But the Federal Government's efforts to establish and scale up shared services have yielded mixed results, at best.

At GSA, our mission is to provide services to agencies. Our robust supplier relationships and access to leading practices in industry for all support services allow GSA to bring innovative, proven solutions to the Federal Government. GSA's role in Government-wide policy implementation and data analysis is also a key factor in helping agencies overcome barriers to improving their own mission-support operations and adopting shared services. To coordinate these efforts and fully

realize our potential, we must develop stronger organizational capabilities to understand customer demand, work with industry to provide efficient and

effective supply, and incorporate services across GSA to satisfy the needs of Federal agencies.

#### STRATEGIC OBJECTIVE 4.1

**Develop new organizational capabilities to understand customer demand and deliver integrated offerings to support common business processes Government-wide.**

Key Performance Goal	Expansion of centralized services.
Lead Offices	Office of Customer Experience, Federal Acquisition Service, Public Buildings Service

The first three goals in this strategic plan focused on advancing and improving GSA's capabilities in real estate, acquisition, and technology to better support agency missions Government-wide. However, our ability to integrate those capabilities into comprehensive life cycle solutions will create the greatest value for agencies and the American people. To accomplish this goal, GSA will collaborate with customers and improve how our components coordinate to seamlessly meet customer needs.

We will expand our core capabilities and adapt to market demands. Scaling and adaptability are critical to addressing evolving customer needs. Strategic partnership with industry will help create

an agile, responsive delivery model. We will also establish a specific business function to conduct a variety of analyses to benefit customers, such as developing business cases, determining optimal bundles of products and services, and researching innovative methods to reduce costs and strengthen service quality.

We will improve our offerings by using performance evaluation and market competition to incentivize our industry partners to deliver high-quality service. Our service processes and pricing will be transparent so our customers can hold us accountable for delivering services that achieve both quality and cost expectations.

Finally, our services will be better integrated throughout the product and service life cycle, to support customer agencies as they address their complex business challenges. Our service design will strive to include technical integration to allow more data sharing and analytics. This cross-agency integration will help us leverage contracts and commercial acquisition practices to consolidate professional service and IT contracts.

### Key Strategies

#### **Strengthen customer interface capabilities by establishing a data-driven approach to customer engagement and standardizing intake processes to identify and address customer needs:**

Develop a systematic, repeatable, and understandable approach to working with customers.

Leverage customer relationships to cultivate deep expertise and apply data-validated solutions to address customer problems across the Federal Government.

Monitor customer satisfaction at every point in the life-cycle and hold employees accountable for customer relationship management.

#### **Develop a comprehensive, integrated menu of options for GSA's product and service offerings:**

Conduct high-level inventory of existing products and services and create a user-friendly catalogue of GSA offerings.

Recommend service packages (bundles) leveraging the catalogue to meet customer needs, with a focus on small agency life cycle services as an early bundle.

#### **Develop organizational capabilities to provide products and services, tools, methodologies, and metrics to deliver shared services:**

Grow the talent and skill sets to establish capabilities, including: business process engineers; process improvement specialists; data specialists; technologists; and experts in large and complex project management.

Embed a culture that encourages performance, continual improvement, and entrepreneurship to deliver value to customers.

Use our technology expertise to deploy interoperable, secure, effective, and efficient technology solutions.

Work with stakeholders in the executive branch and Congress to identify financial mechanisms that help agencies make the investments needed for technical upgrades, capability development and, where needed, transition to a shared services provider.

**Reduce costly duplicative expenditures by the Federal Government on activities that GSA can provide through shared services:**

Pursue Government-wide efficiencies and savings using proven shared services strategies from the private sector, including:

- Standardization of common processes and technologies;
- Automation and introduction of new technologies, as appropriate;
- Streamlined procurement and consolidation of existing contracts; and
- Gradual reduction of redundant capabilities and infrastructure across Government.



**STRATEGIC OBJECTIVE 4.2****Promote adoption of shared services by agencies through policy, guidance, and benchmarking.**

Key Performance Goal	Reduce barriers to facilitate easier adoption of shared services.
Lead Office	Office of Government-wide Policy

GSA plays a central role in the development of policy, best practices, and strategic planning for mission-support services across Government. GSA's Shared Solutions and Performance Improvement (SPPI) office, formerly Unified Shared Services Management, has been a leader in educating and helping Government agencies understand the cost and operational benefits of shared services. SPPI has also analyzed the challenges in the current shared service ecosystem and recommended strategies to mitigate risks. SPPI will continue to work with agencies to promote standardization and implement best practices to facilitate agency transitions to a shared services operating model.

**Key Strategies**

**Establish and lead cross-agency council(s) to facilitate the sharing of lessons learned, advise GSA leadership on possible mandatory shared services, and participate in development of best practices guidance:**

Leverage the experience of existing Federal communities of practice to revise the SPPI playbook, incorporating the various delivery models and assisting agencies in migrations.

Regularly assess agency progress at standardizing and consolidating work processes to evaluate opportunities to consolidate specific services and mandate adoption across the entire Federal enterprise. Collaborate with internal acquisition and technology expertise to inform strategic options.

**Benchmark agencies' performance of mission-support functions against private and public organizations to identify improvement areas through shared services:**

Conduct annual benchmarking of mission-support functions, including any Federal organization that provides shared services to other Federal customers; leverage results to inform policy decisions, opportunities for mission support

improvement, or mitigation of risks.

Align Federal benchmarking metrics to private sector benchmarks and incorporate into standard operational service level metrics.

process for agencies to “opt-out” of participation in shared services.

**Manage and coordinate the cross-functional development of standard capabilities for mission-support functions where appropriate.**

**Help agencies prepare for the migration to shared services:**

Create and administer a customer readiness assessment that promotes and accelerates shared service adoption.

Identify and maintain best practices by agencies for migrations to shared services.

**Help identify and propose use of shared services:**

Analyze shared services proposals to determine if increased agency participation reduces total expenditure and/or increases effectiveness. As appropriate, collaborate with OMB to drive adoption of shared services in situations where it will result in the maximum level of Government-wide cost avoidance and/or effectiveness.

Develop and operate an impartial, straight forward

**STRATEGIC OBJECTIVE 4.3**

**Support the overall mission of GSA by investing in our employees and modeling how we deliver internal support services, while providing policy guidance across Government.**

Key Performance Goal	Efficient, effective mission-support services at GSA (CXO and non-CXO functions).
Lead Offices	Office of Government-wide Policy, GSA Support Functions (CXO and non-CXO), Federal Acquisition Service, Public Buildings Service

To strengthen GSA's leadership in Government management, it is critical that the agency's support services be among the most efficient and effective in Government. GSA's CXO functions (acquisition, finance, human capital, IT) will seek to build on recent performance gains, accelerating reforms to streamline operations. GSA prides itself on understanding how business operations benefit Government. We will look to the very best business organization equivalents for performance comparisons and benchmarks, challenging ourselves to match or exceed their performance.

This includes "practicing what we preach." When we are advising other agencies on methods to improve their support operations - whether through organizational fixes or migrating to shared services - GSA should adopt a like-minded approach to pursuing efficiency gains and service quality. Our credibility across Government is

enhanced when we demonstrate that the solutions we recommend externally are used inside GSA as well. This is true for the traditional CXO functions, and for non-CXO functions that also enable GSA to achieve its mission.

Finally, we recognize the importance of engaging the entire GSA workforce in this mission. The agency's growing emphasis on providing customers with integrated solutions, life cycle management, and shared services will present a challenge and an opportunity. We must invest in our workforce, developing the skills, tools, and inspiration for employees to excel at delivering core and emerging services to GSA's customers and suppliers.

### **Key Strategies**

**Improve the performance of GSA's CXO functions by building on GSA's previous CXO consolidation initiative and applying proven**

**shared services principles:**

Conduct a thorough review of the previous CXO consolidation to implement lessons learned and drive further performance improvement across GSA's support functions.

Partner with SPPI to assess opportunities for GSA CXO functions to incorporate principles and proven practices from the broader shared services community.

**Ensure that GSA's non-CXO functions deliver effective, efficient, and accountable services to GSA or, as appropriate, across Federal Government:**

Establish organizational performance plans and service metrics for GSA's non-CXO functions, oriented around the customers to whom they are accountable.

Build connections and knowledge of non-CXO functions at other Federal agencies to share and adopt proven practices.

**Complete a cost and operational review to clearly identify direct and indirect costs; and develop management actions to address areas for improvement:**

Develop methodology for defining and measuring all forms of indirect costs for GSA operations, including staff and service offices.

Construct method(s) for allocating costs to GSA products and services to better inform pricing strategies.

**Engage and support GSA's workforce to build an organization-wide understanding of how to perform GSA's core and emerging capabilities as well as model shared services behavior:**

Conduct a comprehensive workforce capability assessment.

Develop a workforce restructuring plan that aligns capabilities with emerging organizational needs.

Provide training on delivery of integrated solutions across the life cycle of products and services.



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## **STANDARD OPERATING PROCEDURE (SOP) Alternative Dispute Resolution (ADR)**

Updated August 2020

### **Objective**

To provide standardized processing of complaints where GSA OCR has offered and ADR has been elected to Aggrieved Person(s)/Complainant(s).

### **Introduction**

The agency's EEO ADR program resides in the Complaint Processing team of the Mission Delivery Branch. The agency's preferred method of ADR is mediation and is offered throughout the complaint's informal and formal process. In accordance with the EEO policy, managers are required to participate in mediation when the complainant elects mediation, unless an exception is requested from and granted by the Associate Administrator for Civil Rights. Mediation can occur throughout the EEO process including during the formal complaint process.

### **Scope**

This SOP covers the process that takes place after the initial interview through the actual mediation and any subsequent resolution efforts.

### **Responsible Parties**

Case Managers: Initial contact and interviews and compiling paperwork.  
ADR Program Manager and manages the ADR process.

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## Resources, References, other SOPs

### [SOP - Intake](#)

ADR Policy: <https://insite.gsa.gov/portal/content/521126>

OCR Handbook: <https://insite.gsa.gov/portal/content/527601>

### [ADR Region Resources](#)

### [Shared Neutral Contacts](#)

ADR Packet Documents

FMCS - IAA

FMCS - Organization Chart

## Informal ADR Process

### A. Initial Case

Case manager (CM) has completed initial interview process and the AP has chosen to participate in ADR (see initial interview SOP), the CM will:

1. Conduct a follow-up email to the AP outlining the process and the pre-mediation documents that will need to be reviewed and signed by the AP.
2. Obtain signed documents (Agreement to Mediate and Confidentiality Agreement).
3. Update contact with RMO and PMO
4. Update and ensure iComplaints events are entered
  - a. Date initial contact
  - b. Date ADR Offered
  - c. Date ADR Accepted
5. Ensure that the initial interview/counseling report has been filled out through the initial interview process and is saved in the case file folder along with any other documents received.
6. Send an email to ADR Program Manager (APM) with the following information:
  - a. Name of individual
  - b. Case number
  - c. All signed mediation documents
7. Set up initial mediation email for HSSO, Commissioners, cc to RMOs and forward the information to APM.
8. Case manager will be copied throughout the mediation process and are responsible for updating iComplaints and the tracker.

EXCEPTION: If RMO is in the Administrator's Office or is an HSSO then the APM will review and forward to the Associate Administrator of OCR for review.



9. APM will send out a request and contact HSSO/RC.

## **B. Initiating Mediation**

The APM has the responsibility to manage and ensure that the case is completed prior to the 90th day. The following steps below need to be completed and can be completed simultaneously.

1. Once the settlement official is assigned, APM will:
  - a. Initiate a meeting in order to explain the process and prepare them for mediation
  - b. Notify the settlement official of the due date (85th day)
  - c. Provide settlement official with a document indicating their responsibilities
2. APM will request mediator from the following resources:
  - a. Shared Neutrals (Compiled in Regional Contact Information Table)
  - b. Contract Mediators (FMCS IAA or USPS)
  - c. In-house Mediators (57 trained GSA Mediators)
3. A phone meeting can be initiated in addition to the email to further discuss the ADR process.
4. APM will be responsible for sending out all notifications and copying the case manager and contract support staff.

## **C. Mediation Scheduling**

*Mediations conducted through Shared Neutrals, and in-house.*

The APM will:

1. Obtain dates from management official, complainant, and mediator to find a corresponding date.
  - a. If using doodle schedule - all parties will be notified at once
  - b. If not using doodle schedule - an email will be sent to all parties with the respective information
  - c. Necessary information to disseminate:
    - i. time of mediation
    - ii. date of mediation
    - iii. location including either room location or applicable contact information (i.e. phone number) if mediation is not done in person.

The case manager will:

1. Update iComplaints with mediators name under Contact tab.
2. Update iComplaints with scheduled mediation and put in the event comments the date of mediation.

*Mediations conducted through FMCS and USPS, the APM will:*

1. Forward mediation packet to FMCS or USPS POC.
2. Upon receipt of mediator, ensure that FMCS/USPS mediator has all contact information.
3. FMCS/USPS will schedule their own mediations and update APM of date.

For FMCS - a mediation referral form will need to be filled out and submitted to FMCS.

Case Manager will:

1. Update iComplaints with:
  - a. Name of mediator under the iComplaints contact (Mediation-other federal)
  - b. Update iComplaints events with scheduled mediation and in event comments provide date of mediation

#### **D. Mediation Closure**

Mediations can close in three (3) possible ways: Settlement, Issuance of NRTF, Withdrawal.

*Settlement:*

A case can be settled before, during, or after a mediation has occurred. APM will negotiate any settlements prior to mediation date and coordinate with OGC for legal sufficiency.

Once a fully executed settlement agreement is obtained from the APM the Case Manager will:

1. Obtain all documents.
2. Update iComplaints with the following events:
  - a. Mediation date (if applicable)
  - b. ADR End date (date mediation process is completed - either the date of settlement or date of mediation)
3. Upload Settlement agreement to iComplaints and save in case file.
4. E-mail Compliance Coordinator with the AP name and case number.
5. Compliance Coordinator will:
  - a. Update iComplaints with:
    - i. Corrective Action(s)
    - ii. Date of settlement agreement signed (closure tab)
  - b. Commence with follow-up for compliance of agreement
  - c. Follow closure process for case file
  - d. Update tracker

### *Issuance of NRTF*

The NRTF is issued where ADR cases have had unsuccessful outcomes or mediations haven't occurred (i.e. withdrew from mediation or mediation couldn't be completed prior to 90th day). The APM will collect all documents from the mediator and notify the originally assigned case manager by the 85th day that a final interview and issuance of NORTF will need to occur.

The APM will email CM (by the 85th day) the AP name and case number indicating mediation was unsuccessful.

The Case Manager will:

1. Collect and save signed mediation documents within the case file folder.
2. Update iComplaints events with:
  - a. Date of mediation - if applicable
  - b. Date ADR end - for cases where no mediation occurred
  - c. Date ADR Failed - for cases where mediation occurred and ended with no resolution.
3. Schedule and conduct a final interview with AP prior to the 90th day.
4. Issue the NRTF by the 90th day to the AP and if applicable their representative
5. Update iComplaints with:
  - a. Date of Final interview (event tab)
  - b. Date of NRTF (closure tab)
6. Update commitment tracker

### *Withdrawal*

If the AP has withdrawn from the entire EEO process the case will be closed as a withdrawal.

The APM will:

1. Save all appropriate documents to the case file folder.
2. Email case manager the AP name and case number that the AP has withdrawn from the process.

The Case Manager will:

1. Update iComplaints with:
  - a. Date ADR End (events tab)
  - b. Date of Withdrawal (closure tab)
2. Upload Withdrawal document to iComplaints
3. Close out case file in pursuant to Virtual File Room closure process.
4. Update the commitment tracker

## **Counseling Report**

Case manager will finalize counseling report at the conclusion of counseling period. The counseling report should include all attachments within a PDF document for review. The case manager will update the Tracker 2.0, 01b.NORF tab, column M: Dt CR Completed with the date the counseling report was completed.

The ER Branch Chief will review the counselors report to ensure it is sufficient to make a determination during the accept/dismiss review stage and will send an email to EEO Division Director and A&C Branch Chief that the counselors report is completed.

Counseling reports will not be sent to complainants unless they file a formal complaint. See Accept/Dismiss review SOP.

## Formal ADR Process

Case manager (CM) reviews formal complaints and will identify formal complaints that are suitable for ADR. CM will identify strengths and weaknesses and discusses them with the APM.

Note: Formal ADR still has 90 days to complete the mediation from the day ADR starts (date ADR accepted) to the date ADR ends (date mediation/withdrawal/settlement). The formal case will be held in abeyance during the ADR phase and be extended the appropriate amount of days the case was participating in ADR.

### A. Decision is made to offer ADR to Complainant

If complainant agrees to proceed with formal mediation, CM will:

1. signed documents ADR Packet
2. obtain DMO email
3. send email to APM with all information of participants - issues/basis (summation of case if ROI is not complete) strengths and weakness

APM, after receiving documents will complete a comprehensive overview of case and start to negotiate a settlement and/or set up a mediation.

If the case is going to proceed with mediation, APM will:

1. Conduct a follow-up email to the AP outlining the process and the pre-mediation documents that will need to be reviewed and signed by the AP. A phone meeting can be initiated in addition to the email to further discuss the ADR process.
2. Update and ensure iComplaints events are entered
  - a. Date formal ADR Offered
  - b. Date formal ADR Accepted
  - c. Save all necessary documents to the case file under ADR formal file.
3. Forward email for HSSO, Commissioners, cc to RMOs.

EXCEPTION: If RMO is in the Administrator's Office or is an HSSO then the APM will review and forward to the Associate Administrator of OCR for dissemination.

## **B. Initiating Mediation**

The APM has the responsibility to manage and ensure that the case is completed prior to the 90th day. The following steps below need to be completed and can be completed simultaneously.

5. Once the management official is assigned, APM will:
  - a. Update contact tab in iComplaints with OFFICIAL ICOMP TITLE
  - b. Initiate a meeting in order to explain the process and prepare them for mediation
  - c. Notify the management official of the due date (85th day)
  - d. Provide management official with a document indicating their responsibilities
6. APM will request mediator from the following resources:
  - a. Shared Neutrals (Compiled in Regional Contact Information Table)
  - b. Contract Mediators (FMCS IAA or USPS)
  - c. In-house Mediators (57 trained GSA Mediators)

## **C. Mediation Scheduling**

*Mediations conducted through Shared Neutrals, and in-house the APM will:*

3. Obtain dates from management official, complainant, and mediator to find a corresponding date.
  - a. If using doodle schedule - all parties will be notified at once
  - b. If not using doodle schedule - an email will be sent to all parties with the respective information
  - c. Necessary information to disseminate:
    - i. time of mediation
    - ii. date of mediation
    - iii. location including either room location or applicable contact information (i.e. phone number) if mediation is not done in person.
4. Update iComplaints with mediators name under Contact tab.
5. Update iComplaints with scheduled mediation and put in the event comments the date of mediation.

*Mediations conducted through FMCS and USPS, the APM will:*

4. Forward mediation packet to FMCS or USPS POC.
5. Upon receipt of mediator, ensure that FMCS/USPS mediator has all contact information.
6. FMCS/USPS will schedule their own mediations and update APM of date.
7. APM will update iComplaints with:
  - a. Name of mediator under the iComplaints contact (Mediation-other federal)
  - b. Update iComplaints events with scheduled mediation and in event comments provide date of mediation

## **D. Mediation Closure**

Mediations can close in three (3) possible ways: No Resolution, Settlement, Withdrawal.

### *No Resolution*

When there is no resolution during ADR where cases have had unsuccessful mediations or mediations haven't occurred (i.e. withdrew from mediation or mediation couldn't be completed prior to 90th day).

The APM will:

1. Collect and save signed mediation documents within the case file folder.
2. Update iComplaints events with:
  - a. Date of mediation - if applicable
  - b. Contacts - Mediator, etc.
  - c. Date ADR end - for cases where no mediation occurred
  - d. Date ADR Failed - for cases where mediation occurred and ended with no resolution.
3. Email CM, within 2 business days of the mediation end or by the 85th day in mediation, the AP name and case number indicating mediation was unsuccessful.

The Case Manager will:

1. Ensure all documents and events are updated in the case file folder and iComplaints.
2. Resume the case at the proper stage prior to case participating in ADR process.

### *Settlement:*

A case can be settled before, during, or after a mediation has occurred. APM will negotiate any settlements prior to mediation date and coordinate with OGC for legal sufficiency.

Once a completely signed settlement agreement is obtained APM will:

1. Obtain all documents from mediator
2. Update iComplaints with the following events:
  - a. Mediation date (if applicable)
  - b. ADR End date (date mediation process is completed - either the date of settlement or date of mediation)
3. Upload Settlement agreement to iComplaints and save in case file.
4. E-mail Compliance Coordinator with the AP name and case number.
5. Compliance Coordinator will:
  - a. Update iComplaints with:
    - i. Corrective Action(s)
    - ii. Date of settlement agreement signed (closure tab)
  - b. Commence with follow-up for compliance of agreement

- c. Follow closure process for case file
- d. Update commitment tracker

### *Withdrawal*

If the AP has withdrawn from the entire EEO process the case will be closed as a withdrawal.

The APM will:

1. Save all appropriate documents to the case file folder.
2. Email case manager the AP name and case number that the AP has withdrawn from the process.
3. The Case Manager will:
  - a. Update iComplaints with:
    - i. Date ADR End (events tab)
    - ii. Contacts - Mediator, etc.
    - iii. Date of mediation (if applicable)
    - iv. Date of Withdrawal (closure tab)
4. Upload Withdrawal document to iComplaints
5. Close out case file in pursuant to Virtual File Room closure process.
6. Update the commitment tracker

## **ADR Region Resources**

### *Google Hangout*

- Set up google hangout to have EEO Counselors listed on your computer. (List \* Available)
- Set up counselor of the day so individuals that call are immediately connected and complete a counseling.

### *Reserved Rooms to Mediate*

-

Location	Meeting Space	VTC Room	Phone Code	Room 1	Room 2	OGC POC	OCR POC
Region 1			(866)928-2008 LC: 7999003# PC: 799900#				
Region 2			(866)928-2008	54W06		Nicole	Jill Badami



			LC: 7999003# PC: 799900#			Ludwig Chris Murphy	
Region 3			(866)928-2008 LC: 7999003# PC: 799900#	Kelly Drive A	Kelly Drive B	Manny Oasin	Kellyann Williams
Region 4			Please Dial: <a href="tel:1-866-803-2357">1-866-803-2357</a> Participant Code: 9611814# Leader Code: 6546483#			Lindsey Collins Jaron Chriss	
Region 5				Ralph Metcalfe Federal Bldg.		Lisa Dall	Jonathan (Rocky) Hagloch for a Conf. Room
Region 6		RM 737	(866)928-2008 LC: 7999003# PC: 799900#	437NW	433N W	Ben Sorrell	Vickie Russaw
Region 7				R7 OGC Conferenc e rm		Scott Gengras	James Hood
Region 8							
Region 9				No specific rooms designate d for mediation		Keaton Norquist Deborah Finch	
Region 10							
Region 11				7007	7007	Eric Hart Daniel D'Isodor o	
Central Office				1800 F Room 2345	1800 F Room 2342		

### Scheduler

- Doodle (<http://doodle.com/create>)

- IT Help person using calendar function

### *Secured Mail*

- [www.zixcorp.com](http://www.zixcorp.com)
- Adobe Pro (password protection)

### **Nationwide Shared Neutral Contacts**

<b>Location</b>	<b>Contact Name</b>	<b>Phone Number</b>	<b>Email</b>	<b>Need particular Form</b>
Region 1	Kim Ainsworth	(617) 565-6769	Kim.Ainsworth@gsa.gov	No
Region 2	Rymer Skarlent	(212) 264-4511	<a href="mailto:Skarlent.Rymer@ssa.gov">Skarlent.Rymer@ssa.gov</a> with cc to Reita.Pierre-Louis@ssa.gov	New York Federal Executive Board Shared Neutrals Program Mediator Request Form
Region 3	Rosalind Meador and Adrienne Cropp	609-754-8273 215-408-0611	<a href="mailto:rosalind.meador@us.af.mil">rosalind.meador@us.af.mil</a>  And <a href="mailto:acropp@usmint.treas.gov">acropp@usmint.treas.gov</a>	MEDIATOR REQUEST FORM
Region 4	Jonathan Bonds	770-488-3253	<a href="mailto:zfn8@cdc.gov">zfn8@cdc.gov</a>	
Region 5	Anne Watkins	<a href="tel:312.353.6790">312.353.6790</a>	<a href="mailto:anne.watkins@gsa.gov">anne.watkins@gsa.gov</a>	<a href="https://chicagofeb.wufo.com/forms/mediation-request-form/">https://chicagofeb.wufo.com/forms/mediation-request-form/</a>
Region 6	Kerry Anderson	816-294-2766 (cell) 816-781-1027 (office)	<a href="mailto:kerry.anderson@opm.gov">kerry.anderson@opm.gov</a>	yes
Region 7	Jonathan Hunter	817-978-2325	<a href="mailto:jonathan.hunter@gsa.gov">jonathan.hunter@gsa.gov</a>	
Region 8	Jeff Conn	303 202 4588	<a href="mailto:lconn@colorado.feb.gov">lconn@colorado.feb.gov</a>	
Regions 9 and 10	Gail Castaneda	415 625 2461	<a href="mailto:castaneda.gail@d">castaneda.gail@d</a>	<b>SAN FRANCISCO</b>

			ol.gov	<b>FEDERAL EXECUTIVE BOARD MEDIATION PROGRAM</b>  <u><b>AGENCY REQUEST FOR MEDIATION</b></u>
Region 11 and Central Office	Kimberly Freeman	<a href="tel:202.565.0161">202.565.0161</a>	Request should be sent to: adr@hhs.gov	No: there is a standard email

## ADR Exception

When an ADR exception is requested the requesting organization has ten days to submit the exception from the date of receipt of the request for settlement official.

The ADR Exception form must be submitted by the HSSO from the requesting organization.

The form is then reviewed by the ADR Program Manager, then the Mission Delivery Director. After the Mission Delivery Director reviews they will provide OCR Associate Administrator with their recommendation for final decision.

The final decision is provided to the ADR Program Manager who will then submit the final decision to the requestor.



The Administrator

September 30, 2020

MEMORANDUM FOR ALL GSA EMPLOYEES

FROM: EMILY W. MURPHY  
ADMINISTRATOR (A)

SUBJECT: GSA Equal Employment Opportunity Policy

The U.S. General Services Administration (GSA) plays a pivotal role in helping the rest of the Federal Government best serve the American people. Our agency's expertise, ideas, and innovative solutions are wide-ranging and touch nearly every aspect of the Federal Government's operation. The better our agency performs, the more our fellow Federal agencies are able to ensure the Nation's security, protect public health, and strengthen communities. We can only succeed with a system based on merit and free from unlawful harassment, discrimination, and reprisal for all employees and applicants.

Our success relies on the cultural, professional, and personal diversity of the GSA workforce. Every employee and applicant for employment at GSA must be treated with dignity and respect. It is critical that we as an agency ensure the full and meaningful implementation of Equal Employment Opportunity (EEO) policies and principles in everything we do. I unequivocally affirm my commitment to equality of opportunity in all areas of employment, and I expect each GSA employee to share this commitment.

It is GSA policy that all employees and applicants for employment with GSA are to be treated equitably, without prejudice, and free of reprisal. Employees and applicants for employment are protected by Federal laws, regulations, Executive orders, policies, and other directives banning discrimination and harassment on the basis of race, ethnicity, color, religion, sex, pregnancy, gender identity, sexual orientation, national origin, age, disability, family medical history, or genetic information, as well as retaliation for any action related to a protected EEO activity.

Employees must not practice or tolerate discrimination, harassment, or reprisal. Employees found to have unlawfully discriminated against or harassed another, as defined by law, will be subject to corrective action up to and including removal. Transparency and ethical leadership, cornerstones of my priorities for GSA, demand

1800 F Street, NW  
Washington, DC 20405-0002  
[www.gsa.gov](http://www.gsa.gov)

that we fully and without reservation remove obstacles to supporting our ultimate mission and the people who accomplish that mission.

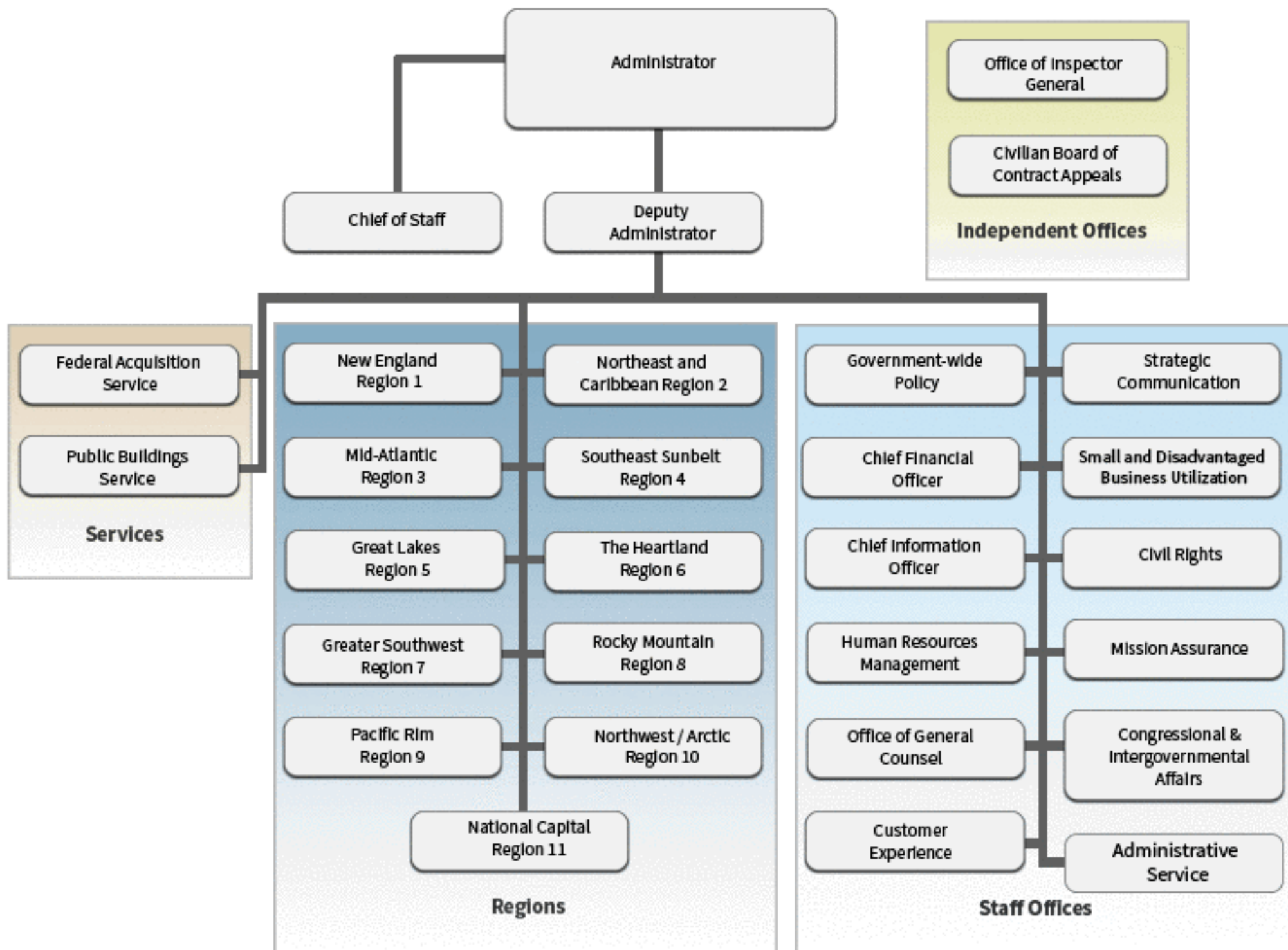
If you believe you have been unlawfully discriminated against and wish to initiate an EEO complaint, contact GSA's Office of Civil Rights (OCR) at [eeo@gsa.gov](mailto:eeo@gsa.gov) or 202-501-4571. Additional information is on [GSAInSite](#).

Every one of us at GSA—no matter the profession, organization, or geographic location—shares in the responsibility to help create and foster a discrimination-free workplace. This starts with me as the Administrator, but it requires the support of us all.

Sincerely,

Emily

A handwritten signature in blue ink that reads "Emily W. Murphy". The signature is written in a cursive style and is positioned above a light gray rectangular box.



GENERAL SERVICE ADMINISTRATION  
Washington, DC 20405

HRM 9700.6 CHGE 2  
May 13, 2021

GSA ORDER

SUBJECT: Anti-Harassment Procedures in the Workplace

1. Purpose. This Order establishes procedures to ensure the General Services Administration (GSA) maintains a workplace free from unlawful harassment. It defines harassing, hostile, or abusive conduct, outlines the rights and responsibilities of employees, requires periodic training on harassment and establishes a system of accountability for ensuring a workplace free from unlawful harassment. This Order is a part of GSA's ongoing efforts to provide a model workplace for its employees.

2. Background. Harassment in the Federal workplace is defined as any unwelcome conduct, verbal or physical, based on an individual membership in a protected class as outlined in the [GSA Policy Statement on Harassment, Including Sexual and Non-Sexual](#). It is also defined as retaliation for making reports or allegations of harassment or providing information related to such allegations when: (1) The behavior can reasonably be considered to adversely affect the work environment, or (2) An employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct.

Harassment in the workplace violates Federal law and policy when it is based on the protected Equal Employment Opportunity (EEO) classes of race, color, religion, sex (including pregnancy, gender identity, sexual orientation), national origin, age, disability, or genetic information, and retaliation based on previous EEO activity as described in:

- [Title VII of the Civil Rights Act of 1964](#), as amended;
- the [Age Discrimination in Employment Act of 1967](#);
- the [Rehabilitation Act of 1973](#), as amended under the Americans with Disabilities Act Amendments Act of 2008; and
- [Genetic information under the Genetic Information Nondiscrimination Act of 2008](#).

In addition, all employees and applicants are to be free from harassment without regard to their:

- Parental status under Executive Order 13152 (signed May 2, 2000); and/or
- Marital status and political affiliation under the Civil Service Reform Act of 1978.

### 3. Scope and Applicability.

- a. This policy applies to all employees working for GSA.
- b. This Order does not apply to allegations of harassment brought by contractor employees against the contractor, the contractor employees' supervisors and/or the contractor employees' co-workers.
- c. The Office of Inspector General (OIG) has independent personnel authority. See Section 6 of the Inspector General Act of 1978, (5 U.S.C. App.3), as amended and GSA Order, [ADM P 5450.39D CHGE 1 GSA Delegations of Authority Manual \(Delegations Manual\), Chapter 2, Part 1](#). Similarly, GSA specifically recognizes that the Inspector General (IG) has independent authority to formulate policies and procedures for addressing harassment in the workplace. The OIG in establishing its workplace procedures, can consider this Order, to the extent that it does not infringe on the IG's independent personnel authority and does not conflict with other OIG policies.

4. Cancellation. This directive cancels and supersedes HRM 9700.6 CHGE 1, Anti-Harassment Procedures in the Workplace.

5. Policy. It is the Agency's policy that GSA employees shall be free from harassment, including sexual harassment and sexual misconduct. In accordance with the [GSA Policy Statement on Harassment, Including Sexual and Non-Sexual](#), these procedures are designed to address the Agency's handling of harassment allegations.

6. Authority. The process established under this Order is entirely separate and apart from the EEO complaint process. An employee who reports harassment in accordance with this Order has not filed an EEO complaint under 29 CFR 1614. An employee who wishes to file an EEO complaint must contact the [Office of Civil Rights \(OCR\)](#) within 45 days of the alleged harassment.

### 7. Responsibilities.

- a. Employees are expected to:
  - (1) Understand their rights and responsibilities under this Order;
  - (2) Refrain from engaging in unwelcomed harassing, hostile, or abusive conduct;
  - (3) Report promptly any incident of harassing conduct by employees or others in the workplace;
  - (4) Inform the supervisor, or another management official, or the Office of Human Resources Management (OHRM) if subjected to unwelcome harassing conduct;
  - (5) Cooperate fully in any inquiry or investigation; and
  - (6) Participate in training as required by the agency.



b. Supervisors and management officials, in addition to the above, shall:

- (1) Promote a workplace free from unwelcomed harassing conduct;
- (2) Ensure that their subordinates are aware of this Order and its requirements;
- (3) Act promptly, in accordance with this Order, to address any harassing conduct of which they are aware;
- (4) Notify their first and second level supervisors and the Anti-Harassment Coordinator of reported or observed harassing conduct;
- (5) Take immediate and appropriate corrective action when it's determined that harassment has occurred, including disciplinary action, as necessary in consultation with OHRM and the Office of General Counsel (OGC);
- (6) Evaluate appropriately subordinate supervisors and managers of their performance under this Order;
- (7) Protect the confidentiality of employees who allege or report harassment, to the extent possible;
- (8) Participate in training as required by the agency;
- (9) Act as or designate a fact-finder to conduct fact-finding into allegations of harassment where fact-finding is necessary.

c. Associate Administrator, Office of Civil Rights (OCR) will:

- (1) Ensure an effective functioning of anti-harassment policy and procedures, in collaboration with OHRM and OGC;
- (2) Ensure that the head of the EEO Office or designee provides advice on all EEO matters to employees, supervisors, and management officials.

d. Chief Human Capital Officer (CHCO), OHRM will:

- (1) Appoint an individual to serve as the agency Anti-Harassment Coordinator (AAHC) at the national level who will work with the Director, Office of Human Resources Services to appoint Employee Relations Specialists to serve as Anti-Harassment Coordinators (AHC). The AHCs will provide for multiple points of contacts for employees to raise allegations of harassing conduct;
- (2) Ensure that performance plans of all supervisors and managers include language addressing compliance with this Order; and
- (3) Provide to the Associate Administrator, OCR, annual data on the actions taken pursuant to this Order for the purpose of determining GSA's compliance with Federal sector EEO requirements.

e. Agency Anti-Harassment Coordinator (AAHC) will:

- (1) Work in partnership with the designated Anti-Harassment Coordinators (AHC) and OCR to provide appropriate training to all employees on this Order, and evaluation of the anti-harassment procedures, and its requirements;
- (2) Collaborate with OCR to publish the anti-harassment policy and procedures throughout GSA to ensure that the names and locations of the AHCs are readily available, including the appropriate dissemination of the anti-harassment policy, procedures, and informational materials, including but not limited to, posting on GSA web sites and in common areas throughout GSA;
- (3) Ensure dissemination of this Order to all employees on an annual basis and periodically remind employees of their responsibilities under this Order;
- (4) Receive reports of alleged violations of this Order and, as described in this Order, make or direct further inquiries into such reports, as appropriate and necessary;
- (5) Provide oversight, technical assistance, training, and support to GSA staff to assure compliance with this Order;
- (6) Maintain a written record of reports made and actions taken pursuant to this Order. These records will be maintained in a secure location; and
- (7) Maintain an e-mail address to respond to inquiries from GSA employees.

f. Anti-Harassment Coordinator (AHC), a designated Employee Relations Specialist, will:

- (1) Be familiar with the requirements of this Order, and assist the AAHC to ensure compliance;
- (2) Assist managers and supervisors regarding allegations of harassment, e.g., fact-finding, as appropriate;
- (3) Assist managers and supervisors in ensuring immediate and appropriate corrective action is taken if the GSA determines that harassing conduct has occurred as stated in *Taking Corrective Action*, section 3. b.(13)(a) below;
- (4) Ensure that the fact-finding is completed,
- (5) Provide consultation to managers and supervisors with the proper selection of a designated fact-Finder;
- (6) Assist with the consultation of union representative, or other representatives, as needed;
- (7) Assist the supervisor with providing interim relief to alleged harassees, pending the outcome of fact-finding, as appropriate;

(8) Protect the confidentiality of employees who allege or report harassment, to the extent possible; and

(9) Maintain proper tracking and case files in accordance with this Order, the Privacy Act of 1974, and the GSA Records Retention Schedules.

g. OGC shall be consulted by, and shall provide legal advice to, supervisors, managers, and OHRM, as needed.

h. Fact-Finder shall:

(1) Be appointed by the manager or supervisor, in consultation with the AHC, to conduct a thorough inquiry/investigation into the allegation(s) of harassment, to the extent that the manager or supervisor does not personally act as the fact-finder;

(2) Not be subordinate to any official involved in the matter being investigated;

(3) Be impartial and competent to perform the fact-finding, as verified by the AAHC and/or AHC, if needed; and

(4) Upon the completion of the fact-finding, prepare a fact-finding Report to be given to the manager or supervisor. If the fact-finder is not the AHC, the fact-finder shall notify the servicing AHC/AAHC that the report has been completed.

8. Explanation of Changes. To ensure compliance with U.S. Equal Employment Opportunity Commission (EEOC) guidance, this Change Order:

a. Added harassment definition (from Appendix I) to paragraph 2.

b. Listed protected EEO classes in paragraph 2.

9. Implementation Action. Implementation of this Order must be carried out in accordance with applicable laws, regulations, and as it affects employees represented by a labor bargaining unit is contingent upon completion of labor relations obligations.

10. Signature.

DocuSigned by:  
  
FE848DECD7214D8...

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TRACI DIMARTINI  
Chief Human Capital Officer  
Office of Human Resources Management

## HRM 9700.6 Anti-Harassment Procedures in the Workplace

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## HRM 9700.6 Anti-Harassment Procedures in the Workplace

1. Introduction. GSA's Anti-Harassment Policy and Procedures are intended to ensure that immediate and appropriate action is taken in response to allegations of harassing conduct, including the use of disciplinary action, and to eliminate harassing conduct regardless of whether the conduct violated the law. The overarching goal of this Order is to provide procedures for addressing harassing conduct at the earliest possible stage, before it can become severe or pervasive, e.g., behavior that is widespread, common, or repeated.

### 2. General Provisions.

#### a. Separation Between the EEO Complaint and Anti-harassment Processes.

(1) The EEO complaint process and the anti-harassment process are separate and distinct. The former is designed to make individuals whole for discrimination that already has occurred and to prevent the recurrence of the unlawful discriminatory conduct. The latter seeks to address and resolve harassing conduct before it ever reaches the level of discrimination, as defined under the anti-discrimination laws. For this reason the EEOC stresses the need to maintain separate EEO complaint and anti-harassment processes. Therefore, it is important to note that the anti-harassment process does not affect an employee's right to file an EEO complaint, nor does it alter required timelines for filing such a complaint. Employees may access either or both processes as discussed later in these procedures.

(2) When determining the appropriate process, a supervisor and/or AHC must ensure that the employee who is raising allegations of harassment is fully aware that the GSA's anti-harassment process is separate and apart from the EEO complaints process. Therefore, the supervisor and/or AHC will begin by providing each employee with a Notice of Rights and Responsibilities clearly stating the distinctions between the two processes. (See Appendix A. Notice of Rights and Responsibilities of GSA Employees Alleging Harassing Conduct.)

b. Confidentiality. All information obtained from allegations of harassing conduct must be kept confidential to the greatest extent possible. Managers and supervisors should make this clear to employees. GSA will not guarantee complete confidentiality, since it cannot conduct an effective fact-finding without revealing certain information to the alleged harasser and potential witnesses. However, information about the allegation of harassment should be shared only with those who need to know about it. Records relating to harassment complaints will be kept confidential on the same basis. Supervisors have an obligation to take immediate action regardless of an employee's confidentiality request. Supervisors should explain that they will maintain as much confidentiality as possible, but they must investigate the matter. Inaction by the supervisor in such circumstances could lead to GSA's liability and possible disciplinary action against the supervisor. Further, the EEOC states, "While it may seem reasonable

to let the employee determine whether to pursue a complaint, the employer must discharge its duty to prevent and correct harassment.”

c. Privacy Act Compliance. It is the responsibility of the OHRM to ensure that all records pertaining to allegations of harassment are compliant with the Privacy Act. Managers, supervisors, and anti-harassment coordinators receiving allegations of harassment should provide the alleged harasser with a Privacy Act Statement. During fact-finding, fact-finders should provide all witnesses in the fact-finding a copy of the Privacy Act Statement. Consistent with Privacy Act requirements, the alleged harasser shall not receive a copy of the fact-finding report. (See Appendix K. Privacy Act Information)

d. Harassment Allegations Involving Contractor Employees. While GSA does not have the authority to address harassment of a contractor employee by another contractor employee, it is expected that all contractor employees in GSA facilities or performing work for GSA will refrain from engaging in harassing conduct. For allegations of harassment by a contractor employee, GSA supervisors or the AHC shall immediately contact the appropriate Contracting Official.

(1) In the event a contractor employee is alleging harassing conduct by a GSA employee, or vice versa, the allegations should be reported to the AHC for further processing consistent with this Order. This should include determining the scope of the alleged harassing conduct. The AHC may also raise the matter with the appropriate Contracting Official, as appropriate.

(2) Where only one of the parties is a contractor employee, or when a contractor employee has been identified as a witness, GSA fact-finders need to request access through the Contracting Official or designee, before the fact-finder interviews any contractor employee. GSA cannot compel cooperation by the contractor; it would be voluntary on the part of the contractor employee. It is important for AHCs to know this and to communicate this to managers, supervisors, and employees.

### 3. Procedures.

#### a. Reporting Harassment.

(1) Any employee who believes that the employee has been subject to, or has been a witness to, harassment in violation of this Order must report the matter promptly to:

- (a) The employee's first line supervisor;
- (b) Another management official in the employee's supervisory chain; or
- (c) The AHC.

(2) Bargaining unit employees may also seek assistance from their union and

initiate grievances pursuant to the governing collective bargaining agreement, as appropriate.

(3) Contractor employees should contact their employer immediately.

(4) Employees who know of harassing conduct directed at others are encouraged to report the matter to the supervisor of the offending employee, another supervisor, other management official, or to the AHC.

(5) Employees may obtain information about this Order from, or report harassing conduct to, the AHC or their servicing human resources office.

**NOTE:** Reports made pursuant to this Order do NOT replace, substitute, or otherwise satisfy the separate obligations of an EEO complaint, negotiated grievance, Merit Systems Protection Board appeal, or other statutory processes. Unlike this Order, those procedures typically provide for remedial relief to the alleged harasser of a violation. For further information concerning how an employee may pursue rights under one of these separate processes, see Paragraph 3, Section c, "[Filing Complaints](#)," of this Order.

b. Response to Harassment Reports.

(1) Conducting Preliminary Inquiries. A supervisor or manager who is informed of, or otherwise becomes aware of, harassing conduct involving subordinates within the supervisor's chain-of-command, must initiate an inquiry within 10 days of receipt to determine:

(a) What conduct is at issue and whether it arguably could be considered harassing conduct;

(b) Who may be involved;

(c) Whether any immediate action is required to insulate the alleged harasser from further harassment; and

(d) Consult the local AHC; and

(e) Take the necessary action as appropriate to address the claim.

(2) Notifying Appropriate Officials of Report.

(a) A supervisor or manager who becomes aware of allegedly harassing conduct involving employees outside of the supervisor's chain of-command must, within one business day, notify the following appropriate officials:

1. The harassing employee's supervisor and their second and third level supervisors or, if the conduct implicates the supervisor or the supervisory chain, the local AHC; and

2. The harassee's supervisor and their Office Director or, if the conduct implicates the supervisor or the Office Director, the local AHC.

(b) Supervisors and managers who become aware of harassing conduct within their chain-of-command must promptly notify the local AHC. This notification must include a description of any initial steps taken in response to the conduct and a plan of necessary and appropriate action to address the report.

(c) When a report is made directly to the AHCs, s/he shall:

1. Immediately acknowledge receipt of the report;

2. Notify the Office(s) implicated in the report, and their higher level management official; and

3. Require the Offices implicated in the report to immediately conduct a preliminary inquiry and take any other necessary and appropriate action.

(3) Performing Further Investigation.

(a) Deciding whether further investigation is necessary. The supervisor and/or manager of an alleged harasser, in consultation with the AAHC/AHC and OGC shall decide whether further investigation is required, or if the preliminary inquiry is sufficient to determine whether corrective action, to include interim relief, is necessary. These decisions are fact specific and must be made on a case-by-case basis.

(b) Deciding how investigations will be carried-out. When the supervisor and/or manager of the alleged harasser, in consultation with the AAHC/AHC and OGC, determines that further investigation is necessary:

1. The AHC and the alleged harasser's supervisor and/or manager shall determine who will direct further investigations. The AHC may engage management officials from outside the involved Office, conduct the investigation, or engage an outside investigative service if s/he deems it necessary and appropriate. The affected Office is responsible for the costs associated with outside investigative services.

2. The investigation must be conducted swiftly, impartially, and in a thorough manner appropriate to the allegation.



(4) Conducting Fact-finding.

(a) Where fact-finding is determined to be necessary, supervisors or managers will act as or designate the fact-finder to conduct fact-finding into allegations of harassing conduct. The primary goal of fact-finding is to ascertain the facts pertinent to the incident, what caused the incident, the outcome of the incident, and what actions need to be taken that will improve the probability that similar incidents will be prevented in the future.

(b) Whether the supervisor acts as the fact-finder or one is appointed, the fact-finder should conduct this assigned inquiry as official duty. Conflicts with pre-existing regular duties should be resolved within the management chain. Finally, the appointed fact-finder may not be subordinate to any official or employee involved or alleged to be involved in the matter.

(c) The supervisor shall also ensure that designated fact-finders have been provided a copy of this Order and have had an opportunity to familiarize themselves with the requirements of this Order. Additionally, AHCs shall coordinate with OCR to ensure that designated fact-finders have been provided access to other available resource materials on the Agency's anti-harassment procedures, such as online education and awareness information.

(d) There may be some situations where fact-finding is not needed. For example, if the alleged harasser does not deny the accusation, there would be no need to interview witnesses, and the supervisor could immediately determine appropriate corrective action. However, there needs to be a document for the record, noting the incident and its resolution, with a copy to the AHC.

(5) Authorizing the Fact-finding.

(a) Upon a determination that a fact-finding is needed, the supervisor will either:

1. Conduct the fact-finding, or
2. Prepare an authorization letter designating a fact-finder and outlining the scope of the fact-finding.

(b) The essential elements of the authorization letter are set forth below.  
(See Appendix D. Sample Fact-Finding Authorization Letter)

(6) Conducting Interviews. The fact-finding shall include, at a minimum, interviews with key individuals such as the alleged harassee, the alleged harasser, and any witnesses to the alleged harassing conduct. For a detailed discussion on

conducting interviews, see Appendix E, Interview Tips. For various examples of appropriate questions to ask alleged harassees, alleged harassers and other witnesses, see Appendix F, Questions to Ask Parties and Witnesses. Several other considerations impacting the interview process are addressed below.

(7) Statement of Facts. Fact-Finders will request witnesses interviewed during fact-finding to sign a Statement of Facts. (See Appendix G. Sample Statement of Facts.) The AHC can provide guidance to supervisors and/or the fact-finders on the use of statement of facts.

(8) Retaliation Prohibition.

(a) Fact-Finders should be aware that the anti-harassment process prohibits retaliation against employees who report harassment or provide information related to such allegations, and.

(b) Therefore, when conducting interviews during a fact-finding, the official who interviews the parties and witnesses should remind these individuals about the prohibition against retaliation.

(9) Allegations Beyond the Scope of the Fact-finding.

(a) If a fact-finder receives other allegations of harassment beyond the allegations into which the fact-finding is being conducted, the fact-finder should consult immediately with the supervisor or manager who appointed the Fact-Finder. The manager or supervisor should, in turn, consult with the AHC and subject matter experts to determine whether the new incident(s) of alleged harassment is supporting evidence of the original allegations but does not raise a new allegation, whether the new incident(s) is like or related to the original allegations of harassing conduct, or whether the new incident is not an allegation of harassment.

(b) If the fact-finder receives other allegations unrelated to harassment, he or she shall refer such allegations to the AHC. Such allegations shall not be part of the written report.

(10) Concluding Fact-finding. There is no set formula to dictate when enough information has been gathered to ensure that a fact-finder has fully completed an inquiry. There are, however, some general concepts that can be followed in determining when enough testimony and evidence have been collected. Here are some tips to assist in making this determination:

- When all evidence has been collected and all witnesses have been interviewed.

- When the preponderance of testimonial and physical evidence clearly indicate that the facts of the case in question are or are not substantiated.
- When the testimony is redundant and it is unlikely that further testimony will discover new information essential to the fact-finding.
- When it is determined that all disputed facts are resolved and continuing the fact-finding will disrupt the normal operation of the Office.

(11) Notifying the Alleged Harassee. The supervisor shall notify the alleged harassee of the completion and outcome of the process to the extent permitted under the Privacy Act. A harassee does not need to know and may not be provided the outcome of any disciplinary action against a harasser. A harassee is not to be provided with a copy of the fact-finding Report. The supervisor should consult with the AHC and OGC about this notification.

(12) Resolving Conflicts of Interest in Inquiries or Investigations.

(a) If a Head of Service or Staff Office, or similar high ranking official, is implicated in the potentially harassing conduct, the AAHC shall be responsible for conducting the preliminary inquiry and directing any further investigation that is warranted.

(b) Any dispute between the affected Office and the AAHC regarding further investigation will be resolved by the CHCO, OHRM.

(13) Taking Corrective Action.

(a) If it is determined that harassing conduct has occurred, corrective action should be taken which includes interim relief and/or disciplinary action. Interim relief must occur within 60 days from receiving the complaint. Disciplinary action must be initiated within 60 days of receiving the investigative report, if any.

(b) To determine the appropriate corrective action, the Office(s) implicated in the report will consult with the AAHC and OGC, as appropriate. The action necessary will depend on the severity and/or pervasiveness of the offense, the action required in order to end such conduct, the harasser's prior disciplinary and conduct history, and other factors which federal personnel law requires be considered. A non-exclusive list of possible corrective actions follows:

1. If the conduct consisted of only occasional remarks that are arguably

offensive but not severe, corrective action may consist of no more than discussing the matter with the responsible individual(s), explaining why it was inappropriate, and instructing them that it should not continue.

2. If more than one person has engaged in inappropriate but not severe conduct, if there is other evidence that employees are not sure about what conduct is appropriate and permissible, or if employees appear unaware of how to properly respond to such conduct, appropriate training should be provided.

3. If the conduct is more severe or pervasive, including frequent offensive remarks, touching, or other egregious harassing behavior or results in a negative employment action, the employee responsible for the hostile or abusive conduct should be separated from the harassee, at least until the matter otherwise can be resolved. This should not be accomplished by transferring the harassee who reported or otherwise was the subject of the hostile or abusive conduct. If the harassee, without having been asked or prompted, specifically requests such a transfer, management should inform the employee that he/she need not leave, and that instead the employee responsible for the hostile or abusive conduct may be transferred. Nonetheless, to the extent possible, the harassee's request should be honored.

4. For the most serious incidents, corrective action may include any disciplinary action otherwise available for violations of conduct standards, such as suspension, demotion, or removal. See GSA Order [HRM 9751.1, Maintaining Discipline](#). The OHRM must review and concur on determinations that an employee's conduct has violated the agency's policies.

5. Appropriate corrective action, disciplinary or otherwise, up to and including removal, will be taken against any supervisor or other management official who fails to perform her/his obligations as set forth in this Order, including any unreasonable failure to report known violations of this policy.

(14) Maintaining Confidentiality, Keeping Records, and Monitoring Compliance.

(a) Maintaining confidentiality. All reports of harassment and related information will be maintained on a confidential basis to the greatest extent possible. The identity of the employee alleging violations of this Order will be kept confidential, except as necessary to conduct an appropriate investigation into the alleged violations or when otherwise required by law.

(b) Writing reports and maintaining records. A brief written report must be made to the AHC regarding the final resolution of each allegation of harassment under this Order.

1. These reports must identify the individuals implicated, the conduct involved, and the corrective action taken, if any. These reports must be sufficient to aid the AHC in determining how to address any future incidents.

2. If requested by the AHC, written reports also may include a detailed description of the inquiry or investigation, an explanation of any conclusions, the reasoning for any corrective action issued, and/or any documents or other tangible evidence obtained during or created as a result of the inquiry or investigation. Tips for Developing the Fact-Finding Report:

- Remember the audience—it may include individuals unfamiliar with functions, terminology, and organizations.
- Explain references, terminology, and acronyms as needed.
- Identify the specific evidence relied upon for each finding of fact.
- Ensure that all evidence relied upon is contained and referenced as an exhibit in the report and file.
- Where appropriate, use official titles rather than personal names.
- Identify how you resolved significant inconsistencies or conflicts in evidence with an objective analysis.

For additional information on the Fact-Finding Report, please see Appendix H. Fact-Finding Report Template.

NOTE: Where the fact-finder is not the supervisor, the fact-finder shall return to the supervisor all draft copies, tapes, notes, and working papers relevant to the allegations of harassment and/or used to formulate the final Fact-Finding Report. Nothing relating to the case should be retained by the fact-finder. The original copy of the completed report, all exhibits, and the authority for conducting the fact-finding should be submitted to the supervisor in the manner specified in the letter authorizing the fact-finding. A copy of the report shall reside with the AAHC.

(c) The AHC shall maintain the written reports in a secure location. These written reports are protected by the Privacy Act and will be maintained in accordance with its requirements and exemptions.

(15) Monitoring the Procedures. The AHC must ensure that these procedures

are properly executed by:

(a) Monitoring inquiries and investigations under this Order of reported or otherwise discovered hostile or abusive conduct;

(b) Providing guidance concerning the information to be gathered and methods to be used during inquiries and investigations; and

(c) Otherwise assuring that the investigations are swift, thorough, impartial, and appropriate to the allegation.

(16) Monitoring the Work Environment. Supervisors will be responsible for ensuring that their offices are in full compliance with requirements of this order. In addition, these officials are responsible for monitoring the work environment following a report alleging a violation of this Order to ensure that there are no further violations or incidents of retaliation against any individual who has reported harassment or participated in the inquiry or investigation.

c. Filing Complaints . Procedures under this Order are separate from statutory and collective bargaining claims.

(1) Filing Statutory or Administrative Complaints or Negotiated Grievances. The purpose of this Order is to stop harassment that has occurred and deter its occurrence in the future. Once management is satisfied that its corrective action has stopped harassment and deterred its recurrence, no further action is necessary. Therefore, corrective action under this Order does not provide the remedies available in the EEO, collective bargaining, or other processes, such as compensatory damages. Filing a report under this Order does not prevent an employee from filing an EEO complaint, union grievance, or other procedure and obtaining remedies pursuant to them, nor does it delay the time limits for initiating those procedures. Thus, an employee who chooses to pursue statutory, administrative, or collective bargaining remedies for unlawful harassment must select one of the available fora as follows:

(a) For an EEO complaint pursuant to 29 C.F.R. § 1614 , contact an EEO counselor in OCR at [eeo@gsa.gov](mailto:eeo@gsa.gov) within 45 days from the most recent incident of alleged harassment (or personnel action if one is involved), as required by 29 C.F.R. § 1614.105(a)(1); or

(b) For a collective bargaining claim, file a written grievance in accordance with the provisions of the appropriate Collective Bargaining Agreement; or

(c) For an appeal to the Merit Systems Protection Board pursuant to 5 C.F.R. § 1201.22, file a written appeal with the Board within 30 days of the effective

date of an appealable adverse action as defined in 5 C.F.R. § 1201.3, or within 30 days of the date of receipt of the agency's decision, whichever is later; or

(d) For a complaint with the Office of Special Counsel, file electronically at <https://osc.gov/pages/file-complaint.aspx> or in writing.

(2) Reporting Harassment Raised in the Statutory, Administrative, or Collective Bargaining Process. This Order is designed to address harassment before it rises to the level of illegal discrimination for which an employee can exercise the statutory right to file an EEO complaint, grievance, or MSPB appeal. Its purpose is to ensure that management is notified of and has the opportunity to correct any hostile or abusive conduct, and applies whether or not the employee has filed an EEO complaint, union grievance, or MSPB appeal. GSA's liability for an EEO complaint, grievance, or other action may depend upon whether it was aware of and promptly corrected the hostile or abusive conduct.

(a) If an employee pursues a claim of harassment through the EEO process, an MSPB appeal, or a union grievance, the GSA official who receives notice of such claim shall promptly notify the appropriate responsible management official. The management official must treat the notice as a report under Section 8 of these procedures, unless inconsistent with applicable regulatory or statutory requirements.

(b) The AHC shall provide the record of actions taken under this Order to the office handling a parallel statutory or collective bargaining claim.

## **Appendix A. Notice of Rights and Responsibilities of GSA Employees Alleging Harassing Conduct**

**Employees who believe they have been subjected to harassing conduct have the right to:**

1. Report the matter immediately to their first-line supervisor or the AHC. In the event that the employee's first-line supervisor is the alleged harasser, the employee shall contact the second-line supervisor or the AHC.
2. Report the alleged incident of harassing conduct to the second level supervisor or the AHC, when the person to whom the alleged harassment was reported failed to take prompt action.
3. Pursue the matter under the GSA's Anti-Harassment Procedures, the EEO complaint procedures, or both processes simultaneously. The process established under the Anti-Harassment Procedural Requirements is entirely separate and apart from the EEO complaints process. An employee who reports harassment in accordance with the Anti-Harassment Procedures has not filed an EEO complaint under 29 CFR 1614. A consultation with an AHC is not EEO counseling for purposes of filing an EEO complaint. An employee who wishes to file a complaint of discrimination must contact OCR within 45 days of the most recent act alleged to be harassment.
4. Present and pursue the allegation of harassing conduct free from restraint, interference, coercion, harassment, and reprisal.
5. Prompt notification upon completion of the fact-finding. However, to the extent that disciplinary action is taken, the employee shall not be apprised of the disciplinary action taken against an alleged harasser.

**Employees alleging harassment have the responsibility to:**

1. Fully cooperate with the presentation of information, to include scheduling of interviews or meeting, responding to correspondence, and providing requested material or information, in the processing of their allegations of harassing conduct.
2. Keep the Agency informed of their contact information.
3. Notify the AHC or the AAHC of any questions or concerns about the Anti-Harassment Process.



**This is to acknowledge that a copy of this form was provided to me.**

\_\_\_\_\_  
Employee Alleging Harassment

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor or AHC

\_\_\_\_\_  
Date

## **Appendix B. Checklist of Basic Information to Alleged Harassers**

1. The Agency must inform the alleged harasser that an allegation of harassing conduct has been brought against him or her. This must include the name of the alleged harassee, the allegations brought to the Agency's attention, and when the allegation was reported.
2. As a person identified or alleged to be responsible for harassing conduct, the employee will be asked to provide information relating to the allegations. The alleged harasser is responsible for fully cooperating with the fact-finding process.
3. If there are individuals who can provide information concerning the allegations of harassment, the alleged harasser should be prepared to furnish the supervisor, the AHC, or the fact-finder, with their full name, position, and contact information. The fact-finder will determine what interviews and documentation are necessary.
4. The information in the Fact-Finding Report is protected by the [Privacy Act](#), and the information contained therein may only be shared with those who have a need to know in the performance of their duties.
5. An alleged harasser may be an employee covered under a collective bargaining agreement and may be entitled to certain rights. It is recommended that the supervisor or AHC consult with the local [Labor Relations](#) personnel regarding these rights.
6. An alleged harasser is required to keep GSA informed of the person's contact information.
7. An alleged harasser must notify the AHC or AAHC of any questions or concerns he or she may have about the Anti-Harassment Process.

**Appendix C. Sample Fact-Finding Authorization Letter**

[DATE]

To:

From:

Subject: Authorization of Fact-Finding

\_\_\_\_\_, an employee at [NAME OF CENTER] has raised an allegation(s) of harassment. In accordance with HRM XXXX, I hereby authorize [NAME OF FACT-FINDER] to conduct a fact-finding into this allegation(s).

NAME

TITLE

\_\_\_\_\_

\_\_\_\_\_

AHC, Fact-Finder

Upon identification, Mr/s. \_\_\_\_\_ will expect your complete cooperation in this matter.

[Appointing AUTHORITY'S SIGNATURE BLOCK with name and official GSA Title]

cc:

Agency Anti-Harassment Coordinator  
Anti-Harassment Coordinator

## Appendix D. Interview Tips

1. Purpose of the Interview Questions. It is essential that fact-finders understand the purpose of interviews is to obtain relevant facts. Relevant facts are those that are important to deciding the previously identified ultimate issues. They are outcome determinative. Therefore, fact-finding questions must be designed to obtain the relevant facts. Also, remember that for every piece of disputed evidence, there should be a factual finding.

2. Interviewing Techniques. Interviewing techniques vary, depending upon the facts, circumstances, and witnesses. The following suggestions should be considered as techniques to elicit the best, most reliable information:

a. All questions asked during the interview must be directed toward discovering the answers to “who, what, when, where, why, and how.”

b. Avoid beginning an interview with specific questions, as they may inhibit the witness. The witness may feel that only those items mentioned are pertinent.

c. The first set of questions should establish the witness’ title, experience, education (where appropriate) and job-related duties for the record.

d. The second set of questions should establish the witness’ knowledge of the event(s) under fact-finding. Elicit a description of the scene first; then the related action. Asking an open-ended question allows the witness to tell the witness’ rendition of events. Once the person has completely related the narrative, specific questions may be asked to clarify specific points and gather additional information.

e. Compound questions are confusing and should be avoided.

f. Leading questions are questions that suggest an answer. Examples: “This isn’t the first time you’ve had performance issues, is it?” “You confronted your subordinate, didn’t you?” The disadvantages inherent in leading questions are that they can lead to distortions of the statements made and can potentially lead to witness intimidation. Leading questions should be avoided.

g. Problems can also arise when asking questions that are answered by a simple yes or no. This limits the witness to answering only specific questions, and in many instances the witness has a tendency to answer affirmatively just to be agreeable. They are appropriate in limited situations, where a direct response is important.

h. Keep the format simple and carefully choose the language as word choice can affect an answer.

i. Actual interview—If fact-finding addresses specific events, inquire about all events during the relevant time frame in chronological blocks of time. For each block ask, who, what, when, where, why and how. Examples include:

1. What was the alleged conduct?
2. Who was present?
3. What was said?
4. What exactly occurred?
5. When did it occur?
6. Where did it occur?
7. How did this affect you?
8. How did it occur?
9. Where did it happen?
10. Who else has information?

j. The fact-finder should also determine the following:

1. What was said?
2. Who said it?
3. When was it said?

k. The fact-finder should keep in mind the following:

1. Always ask if there is any other information they have about the situation that he or she believes could be significant.
2. Don't tell one witness what another specific witness said.
3. Always maintain control.
4. Don't discuss personal opinions or conclusions.
5. Don't make accusatory statements.
6. Have the witness explain terms and phrases.
7. Resolve contradictions.

3. Interview closing phase.

a. At the end of every interview, bolster the witness, whether he or she is friendly or hostile. This can be accomplished by employing the following statements:

(1) “Is there anything else I should ask you that I haven’t?”

(2) “Anything else I need to know?”

(3) “If you have any doubts, is there anything else you think you should tell me?”

(4) Remind the witness “it’s for the record.”

(5) “Certainly you appreciate that this matter may go to a higher level. Is there anything you’d like to amend or supplement?”

b. Always give the witness the privilege of contacting the fact-finder if additional information is later recalled or comes to their attention. Not everyone can think of every detail on the spot, and the questioning may well trigger further search of memory and records.

## **Appendix E. Questions to Ask Parties and Witnesses**

The following are examples of questions that may be appropriate to ask the parties and potential witnesses. Any actual fact-finding should be tailored to the particular facts.

### **1. Questions to Ask the Alleged Harassee:**

a. Who, what, when, where, and how: Who engaged in the alleged conduct? What exactly occurred or was said? When did it occur and is it still ongoing? Where did it occur? How often did it occur? How did it affect you?

b. How did you react? What response did you make when the incident(s) occurred or afterwards?

c. Are there any persons who have relevant information? Was anyone present when the alleged conduct occurred? Did you tell anyone about it? Did anyone see you immediately after the alleged conduct?

d. Did the person who you believe harassed you engage in what you consider inappropriate conduct toward anyone else at that time? Do you know whether anyone complained about inappropriate conduct by that person?

e. Are there any notes, physical evidence, or other documentation regarding the incident(s)?

f. How would you like to see the situation resolved?

g. Do you know of any other relevant information?

### **2. Questions to Ask the Alleged Harasser:**

a. What is your response to the allegations? Give us your recollection of the who, what, when, where, and how concerning the alleged event(s).

b. Are there any persons who have relevant information?

c. Are there any notes, physical evidence, or other documentation regarding the incident(s)?

d. Do you know of any other relevant information?

3. Questions to Ask Third Parties:

- a. What did you see or hear? When did this occur? Describe the alleged harasser's behavior toward the harassee and toward others in the workplace.
- b. What did the harassee tell you? When did she/he tell you this?
- c. Do you know of any other relevant information?
- d. Are there other persons who have relevant information?



## Appendix F. Sample Statement of Facts

### STATEMENT OF FACTS

I, \_\_\_\_\_, (position title, grade, and series), (location), GSA, make the following statement freely and voluntarily to \_\_\_\_\_, who has identified himself/herself to me as a fact-finder for the Agency, obtaining information and fact-finding in relation to an allegation(s) of harassment in violation of GSA policy.

I have been informed that this statement may be used in evidence. I understand that this statement may be shown to the interested and relevant parties and those with a legal right to know.

[STATEMENT]

I have read the above statement, consisting of \_\_\_ pages, and it is true and complete to the best of my knowledge.

---

Witness Name and Date

## Appendix G. Fact-Finding Report Template

The Fact-Finding Report will vary from case to case. In simple cases, for example, an incident that occurs with the supervisor present, the “report” may consist of a supervisor’s brief memorandum to the file describing the inappropriate conduct and what was done to address it. In more complex cases, the fact-finder will need to prepare a more in-depth document. However, the document should be as concise as possible, laying out only the needed information to make a decision as to whether prompt action should be taken to address the matter, and if so, what action is needed. The template below provides an outline of the information to be provided when it is determined that an in-depth report is appropriate.

### 1. Preliminary Statement.

- a. Identify the authority for conducting fact-finding.

The paragraph should generally read as follows: “This fact-finding was authorized by \_\_\_\_\_ (name/title) on (date) per Memorandum dated \_\_\_\_\_.”

- b. Identify the purpose and scope of the fact-finding.

(1) The initial purpose of the fact-finding should be concisely stated. For example: “to conduct a fact-finding into whether harassment in violation of GSA policy occurred when . . .”

(2) The fact-finding should always be limited in scope to just the allegation for which the fact-finding has been authorized. However, if during the course of the fact-finding, information was provided to the fact-finder that goes beyond the scope of the current fact-finding, a note to the reader should be provided:

Example: “Fact-finding was limited to the alleged incident. Two employees and one contractor employee found to have knowledge pertinent to the incident were interviewed.”

Example: “During the course of the fact-finding, two other employees made two additional allegations of harassment by Mr. Oxford.”

### 2. List or Summarize the Witnesses Interviewed.

### 3. Findings of Fact.

a. Findings go to the when, who, what, why, where, and how. Findings are the resolutions of the details.

b. The findings should be set forth in a narrative addressing all the pertinent evidence. In a good narrative, the issues are set out and resolved in an orderly way. The simplest way to organize the narrative is to describe the allegation and then describe what each witness had to say about it.

c. Keep in mind that there must be a reference to exhibits in support of every factual assertion. Therefore, after every factual statement, the exhibits supporting that statement should be identified in parentheses ( ). The exhibits are not repeated in the narrative; they are described. This must be done correctly and fairly. It is not fair, for example, to describe a witness as “admitting” a fact when he merely stated it and the fact doesn’t bear on his culpability. In other words, watch the use of emotionally-charged language. Such language will impair credibility.

### 4. Signature.

a. The fact-finder shall sign the Fact-Finding Report.

b. Signatures reflect the accuracy of the Fact-Finding Report and view of the fact-finder.

### 5. Exhibits.

a. This section of the Fact-Finding Report includes an index of all exhibits supporting the findings and a descriptive heading of each. The exhibits should be included in their entirety. The Fact-Finding Report is incomplete if the exhibits are not part of the package.

b. This section includes any material referred to or considered in the findings of fact, e.g., e-mails and photographic images.

c. Exhibits may also include signed statements from the parties and witnesses, depending on the complexity and severity of the allegations.

Appendix H. Harassment Activity Reporting/Tracking Form

GENERAL SERVICES ADMINISTRATION

ORGANIZATION: \_\_\_\_\_

Harassment Activity Reporting/Tracking

Case Number	Date Allegation Reported	Time In Inventory	Basis(es)	Issue(s)	Relationship of Alleged Harasser and Alleged Harassee (e.g., supervisor-employee; employee-employee)	Fact-Finder	Status

## **Appendix I. Frequently Asked Questions**

### **What is harassment?**

GSA policy defines harassment/harassing conduct as any unwelcome conduct, verbal or physical, based on an individual membership in a protected class as outlined in the [GSA Policy Statement on Harassment, Including Sexual and Non-Sexual](#). It is also defined as retaliation for making reports or allegations of harassment or providing information related to such allegations when: (1) The behavior can reasonably be considered to adversely affect the work environment, or (2) An employment decision affecting the employee is based upon the employee's acceptance or rejection of such conduct.

### **What are some examples of harassment as defined above?**

Harassment that violates GSA policy can occur in a number of ways. Various examples include:

- (1) Threatening that rejection of sexual overtures will affect appointments, promotions, transfers, or evaluations;
- (2) Belittling caricatures or objects depicting persons of a particular race, national origin, religion or other protected category;
- (3) Racial or ethnic jokes or stories;
- (4) Teasing, mimicking or repeatedly commenting on an individual's disability, accent, or other protected category;
- (5) Offensive comments, jokes or suggestions about an employee's gender;
- (6) Obscene or lewd comments, slurs, jokes, epithets, suggestions or gestures;
- (7) Commenting on an employee's body or sexual characteristics;
- (8) Displaying nude or sexually suggestive objects, pictures, images or cartoons;
- (9) Continuing prohibited behavior after a co-worker has objected;
- (10) Laughing at, ignoring or retaliating against an employee who raises a harassment allegation; and
- (11) Bullying, intimidating or threatening behavior.

**What if I believe I have been harassed, but not based on the reasons above?**

GSA's anti-harassment policy and procedures are not intended to establish a general civility code for the Agency. Therefore, petty slights or minor annoyances are not covered. In addition, harassment is limited to the definition and protected categories as defined in the [GSA Policy Statement on Harassment, Including Sexual and Non-Sexual](#). If the alleged conduct does not involve one of these categories, or you are not sure whether it does or not, but the behavior is nonetheless unwelcome and offensive, you may still wish to report it to your supervisor or your AAHC, who can then decide whether the Anti-Harassment Program office is the appropriate venue. There are also a number of other options you may wish to explore to address your concerns. Your [Human Resources Offices](#) can provide additional information regarding those options.

**Where should I go to report harassment?**

GSA employees who believe they have been the target of harassment should report the matter immediately to their first-line supervisor, another management official in their reporting structure, the OHRM and/or the AHC or other officials as designated.

**What is the intent of the GSA Anti-Harassment Program and its procedures?**

The anti-harassment procedures set up a process for management to address employee allegations of harassment and take immediate and appropriate corrective action, including use of disciplinary actions to eliminate harassing conduct regardless of whether the conduct violated the law. The goal of anti-harassment policy and procedures is to address harassing conduct at the earliest possible stage, before it can become "severe or pervasive" harassment within the meaning of anti-discrimination laws.

**Is reporting harassment the same as filing an EEO complaint?**

No. The anti-harassment procedures do not affect rights under the EEO complaints process. The anti-harassment process is entirely separate and apart from the EEO complaints process. This means that an employee who reports allegations of harassment in accordance with the Agency's anti-harassment procedures has not filed an EEO complaint. An employee who wishes to file a discrimination complaint should contact OCR within 45 days of the alleged harassing conduct. OCR can be contacted at [eeo@gsa.gov](mailto:eeo@gsa.gov).

**What is the role of managers and supervisors?**

Managers and supervisors are responsible for maintaining a work environment free of harassment. Managers or supervisors who observe or are made aware of allegations of harassing conduct are required to act promptly, effectively, and in accordance with GSA anti-harassment policy and procedures to determine the scope of the alleged harassing

conduct and take corrective or disciplinary action as appropriate and necessary.

**What is the role of the AAHC?**

The AAHC is responsible for serving as the Point of Contact (POC) for all anti-harassment matters. Their role includes, but is not limited to, assisting managers and supervisors in addressing allegations of harassment and maintaining Agency records. For instance, the Coordinator helps ensure that a proper fact-finding process is completed and that prompt and appropriate corrective action is taken if the Agency determines that harassing conduct has occurred.

**What is the role of the Local AHC?**

The AHC is a designated servicing OHRM Employee Relations Specialist and is the first point of contact with supervisors and managers regarding an allegation of harassment. The AHC is responsible for assisting the manager and supervisors in addressing alleged harassment, as appropriate. Their role may include, but is not limited to, conducting the fact-finding and making recommendations concerning disciplinary action.

**If I report harassment, will the information provided be kept confidential?**

All information shall remain confidential to the greatest extent possible in accordance with the Privacy Act. Information is restricted to those who have a “need to know” and may include fact-finders, the AAHC, witnesses, the alleged harasser, and supervisors who are required to take action on the matter raised.

**If I’m a contractor employee who believes that I’m a target of harassment by another contractor employee, where should I go?**

GSA anti-harassment policy and procedures only cover Federal civil servants. GSA does not have the authority to address issues pertaining to harassment involving contractor employees; however, it is expected that all contractor employees conducting work on GSA premises will refrain from engaging in harassing conduct. For allegations of harassment involving a contractor employee, GSA supervisors should immediately contact the appropriate Contracting Officer.

**If I’m a contractor employee who believes I have been harassed by a Federal civil servant, what should I do?**

Contact your AAHC for information and guidance.

**If I report harassment and then change my mind about going forward with the allegations, what happens?**

The Agency is still obligated to look into the allegations raised.

**If I make a report of harassment, will it remain confidential?**

All reports of hostile or abusive conduct and related information will be maintained on a confidential basis to the greatest extent possible. The identity of the employee alleging violations of this Order will be kept confidential, except as necessary to conduct an appropriate investigation into the alleged violations or when otherwise required by law.

**What happens if there are no witnesses to a claim of harassment?**

Even if there are no witnesses, the agency would conduct an inquiry and talk to those persons involved.

**Is it possible to be harassed by someone who is not my supervisor?**

Yes. The harasser does not have to be your supervisor for the harassment to be illegal. GSA has a responsibility to provide a workplace free from harassment, whether the harasser is your supervisor, a supervisor in another department, a co-worker, a subordinate, or even a customer or client.

**Can I be punished for complaining about harassment?**

No. It is against the law and is a violation of Title VII for you to be retaliated against for reporting harassment. If you believe you have been subjected to retaliation, please contact OCRat [eeo@gsa.gov](mailto:eeo@gsa.gov).

**What if I witness inappropriate conduct?**

Employees who know of harassing or abusive conduct directed at others are encouraged to report the matter to the supervisor of the offending employee, another supervisor or other management official, or the AHC or other officials as designated.



## Appendix J. Privacy Act Information

1. Managers, supervisors, and anti-harassment coordinators receiving allegations of harassment should provide the alleged harassee with a Privacy Act Statement. During fact-finding, fact-finders should provide all witnesses in the fact-finding a copy of the Privacy Act Statement. The following Privacy Act Statement should be utilized.

*Any information concerning this matter shall not be disclosed, discussed, or shared with other individuals unless they have a direct need-to-know in the performance of their official duties. Unauthorized disclosure of any information concerning this matter may result in CIVIL and CRIMINAL penalties.*

2. When providing document(s) for review or signature, fact-finders should utilize the following cover sheet containing the Privacy Act Statement.

# PRIVACY ACT DATA COVER SHEET

**DOCUMENTS ENCLOSED ARE SUBJECT TO THE PRIVACY ACT OF 1974**

**Contents shall not be disclosed, discussed, or shared with individuals unless they have a direct need-to-know in the performance of their official duties. Deliver this/these document(s) directly to the intended recipient. DO NOT drop off with a third-party.**

**The enclosed document(s) may contain personal or privileged information and should be treated as "For Official Use Only." Unauthorized disclosure of this information may result in CIVIL and CRIMINAL penalties. If you are not the intended recipient or believe that you have received this document(s) in error, do not copy, disseminate or otherwise use the information and contact the owner/creator or your Privacy Act Officer regarding the document(s).**